

Regular Meeting

The regular meeting of the City Council of the City of Fitchburg was held in the Memorial Middle School Library, 615 Rollstone St., Fitchburg, on September 20, 2016. The meeting was called to order by President Kushmerek at 7:01 P.M. The Clerk called the roll and ten (10) members were present. Councillor Tran was absent. Councillor Bean arrived at 7:10 P.M. The meeting opened with a salute to the Flag led by Councillor Beauchemin.

PUBLIC FORUM

Public Forum

Mr. Calvin Brooks, City Treasurer and Collector, spoke regarding Orders 229-16 through and including 236-16. Since the properties were already declared to be in excess of the city's needs and designated to the Side Yard Sales Committee for disposal by the City Council, he requested that they be adopted tonight under suspension of the rules.

Records

REPORT OF COMMITTEE ON RECORDS

The Committee on records reported the minutes of the Regular Meeting of September 6, 2016 were correctly recorded. Report accepted and minutes adopted.

COMMUNICATIONS FROM HIS HONOR THE MAYOR

Communication
His Honor the Mayor

Appointment
Letters

Appointment Letters:
Disability Commission

1. Ms. Kathleen Hamelin, Term to expire February 1, 2019



STEPHEN L. DINATALE
MAYOR
166 BOULDER DRIVE
FITCHBURG, MA 01420
TEL. (978) 829-1801

The City of Fitchburg
Massachusetts
OFFICE OF THE MAYOR

AARON TOURIGNY
CHIEF OF STAFF
ATOURIGNY@FITCHBURGMA.GOV
JOAN DAVID
ADMINISTRATIVE AIDE
JDAVID@FITCHBURGMA.GOV

September 14, 2016

The Honorable City Council
Fitchburg Municipal Offices
166 Boulder Drive, Suite 108
Fitchburg, MA 01420

Dear Honorable Councilors,

I hereby appoint and ask for your confirmation of Ms. Kathleen M. Hamelin of 497 Townsend Street, Fitchburg, MA, as a member of the Disability Commission for a term to expire on February 1, 2019.

Please feel free to contact me with any questions.

Sincerely,

Stephen L. DiNatale
Mayor

16 SEP 14 15 55
FITCHBURG CITY CLERK

City of Fitchburg, September 1, 2016

Communication
His Honor the Mayor
Appointment Letters

2. Atty. Nicholas J. Carbone, Term to expire February 1, 2019



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September 14, 2016

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Fitchburg, MA 01420

16 SEP 14 15 55
FITCHBURG CITY CLERK

Dear Honorable Councilors,

I hereby appoint and ask for your confirmation of Attorney Nicholas J. Carbone of 245 River Street, Fitchburg, MA, as a member of the Disability Commission for a term to expire on February 1, 2019.

Please feel free to contact me with any questions.

Sincerely,

Stephen L. DiNatale
Mayor

City of Fitchburg,

September 20, 2016

Communication
His Honor the Mayor
Appointment Letters

3. Ms. Carolyn Quirk, Term to expire February 1, 2019.



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September 14, 2016

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Fitchburg Municipal Offices
166 Boulder Drive, Suite 108
Fitchburg, MA 01420

16 SEP 14 15 55
FITCHBURG CITY CLERK

Dear Honorable Councilors,

I hereby appoint and ask for your confirmation of Ms. Carolyn J. Quirk of 385 Pearl Hill Road, Fitchburg, MA, as a member of the Disability Commission for a term to expire on February 1, 2019.

Please feel free to contact me with any questions.

Sincerely,

Stephen L. DiNatale
Mayor

Appointment letters read and referred to the Appointments
Committee.

Annual Report
Auditor's Report
June 30, 2016

ANNUAL REPORT

225-15. ANNUAL REPORT: City of Fitchburg Auditor's Report,
June 30, 2016.

**CITY OF FITCHBURG
AUDITOR'S REPORT
June 30, 2016**

FITCHBURG CITY CLERK
16 SEP 14 11 17



Richard N. Sarasin
City Auditor/Finance Director

Jacquelyn M. Cronin
Deputy City Auditor

CITY OF FITCHBURG
COMBINED BALANCE SHEET (UNAUDITED)
JUNE 30, 2016

	GENERAL FUND	SPECIAL REVENUE FUND	CAPITAL PROJECTS FUND	WATER ENTERPRISE FUND	WASTEWATER ENTERPRISE FUND	TRUST & AGENCY FUNDS
ASSETS						
Cash & Investments	\$ 13,238,233	\$ 8,121,560	\$ 400,663	\$ 1,072,274	\$ 12,401,108	\$ 17,056,637
Property Taxes Receivable	1,093,085	-	-	-	-	-
Tax Liens & Foreclosures Receivable	7,115,337	-	-	277,056	498,348	-
Motor Vehicle Excise Receivable	1,045,657	-	-	-	-	-
Service Charges Receivable	351,425	-	-	728,212	1,784,208	-
Other Receivables	428,440	10,387,952	-	-	-	301,405
Fixed Assets - net	-	-	67,892,199	-	-	-
Total Assets	\$ 23,272,177	\$ 18,509,512	\$ 68,292,862	\$ 2,077,542	\$ 14,683,664	\$ 17,358,042
LIABILITIES & FUND EQUITY						
Liabilities:						
Reserved for Abatements	\$ 2,178,733	\$ -	\$ -	\$ -	\$ -	\$ -
Deferred Revenue	7,888,627	10,387,952	-	1,005,268	2,282,556	-
Notes Payable	-	-	2,500,000	-	-	-
Other Liabilities	349,219	305,962	1,161,055	57,018	148,189	1,377,803
General Obligation Long-Term Debt	-	-	63,502,291	-	-	-
Total Liabilities	\$ 10,416,579	\$ 10,693,914	\$ 67,163,346	\$ 1,062,286	\$ 2,430,745	\$ 1,377,803
Fund Equity:						
F/B - Reserve for Expenditures	\$ 700,000	\$ -	\$ -	\$ 443,047	\$ 1,182,925	\$ -
F/B - Reserve for Encumbrances	4,894,087	626,914	124,988	1,802	1,624,303	-
Unreserved/Undesignated Fund Balance	7,261,511	7,188,684	1,004,528	-	-	15,980,239
Retained Earnings	-	-	-	570,407	9,445,691	-
Total Fund Equity	\$ 12,855,598	\$ 7,815,598	\$ 1,129,516	\$ 1,015,256	\$ 12,252,919	\$ 15,980,239
Total Liabilities & Fund Equity	\$ 23,272,177	\$ 18,509,512	\$ 68,292,862	\$ 2,077,542	\$ 14,683,664	\$ 17,358,042

CITY OF FITCHBURG GENERAL FUND
PRE-CLOSING DEPARTMENTAL ACCOUNTS
JUNE 30, 2016

2016	APPROPRIATED	EXPENDED	ENCUMBERED	BALANCE
City Council Personal Services	\$ 110,000.00	\$ 109,888.89	\$ -	\$ 111.11
City Council Expenses	21,875.00	21,259.78		615.22
Mayor Personal Services	179,607.00	174,957.66		4,649.34
Mayor Expenses	3,737.00	2,359.71		1,377.29
City Auditor Personal Services	218,199.00	214,336.28		3,862.72
City Auditor Expenses	60,400.00	5,108.98	55,000.00	291.02
Purchasing Personal Services	166,682.00	165,601.60		1,080.40
Purchasing Expenses	48,500.00	25,640.79	14,109.52	8,749.69
Assessors Personal Services	298,783.00	298,780.20		2.80
Assessors Expenses	34,000.00	10,682.39	14,000.00	9,317.61
Treasurer Personal Services	564,933.00	562,307.79		2,625.21
Treasurer Expenses	378,200.00	330,548.44	47,651.56	-
Tax Title Foreclosure	82,000.00	66,703.67	15,296.33	-
Maturing Debt and Interest	4,358,000.00	4,358,000.00		-
Information Technology Personal Services	147,138.00	147,138.00		-
Information Technology Expenses	338,000.00	270,852.75	67,120.27	26.98
Law Personal Services	156,000.00	156,000.00		-
Law Expenses	31,150.00	27,901.24		3,248.76
Other Legal Expenses	73,000.00	54,541.63	16,776.50	1,681.87
Human Resources Personal Services	89,644.00	89,643.40		0.60
Human Resources Expenses	4,150.00	2,220.04		1,929.96
City Clerk Personal Services	262,369.00	262,001.04		367.96
City Clerk Expenses	8,910.00	7,649.26		1,260.74
Election & Registration Personal Services	73,959.00	69,144.26		4,814.74
Election & Registration Expenses	43,468.00	42,338.77		1,129.23
License Commission Personal Services	6,200.00	6,033.33		166.67
License Commission Expenses	3,050.00	1,720.74		1,329.26
Community Development Personal Services	332,898.00	312,197.69	12,000.00	8,700.31
Community Development Expenses	370,500.00	14,324.84	356,175.16	-
Building Personal Services	433,579.00	377,420.42	1,269.48	54,889.10
Building City Hall General Expenses	214,700.00	159,311.02		55,388.98
Building Repair and Care	12,000.00	-		12,000.00
Building Expenses	43,700.00	28,418.46	395.00	14,886.54
Police Personal Services	7,193,067.00	6,949,136.57	585.63	243,344.80
Police Contracted Services	6,372.00	5,810.00		562.00
Police Other Expenses	87,700.00	80,203.61	5,113.78	2,382.61
Police Equipment & Repair	457,000.00	437,522.33	9,261.10	10,216.57
Police Maintenance of Building	150,100.00	119,223.40	1,046.33	29,830.27
Fire Personal Services	6,281,591.00	6,215,130.25		66,460.75
Fire Building Maintenance	210,000.00	206,836.79	3,163.21	-
Fire Other Expenses	48,400.00	48,346.32		53.68
Fire Equipment & Repair	166,000.00	165,807.85		192.15
Fire Capital Expenditures	105,909.00	105,909.00		-
School Department	51,400,000.00	47,703,151.84	3,696,848.16	-
Montachusett Regional Vocational Tech School	1,974,212.00	1,974,155.00		57.00
DPW Admin/Engineering Personal Services	354,051.00	334,739.48		19,311.52
DPW Traffic Signal Expenses	92,000.00	78,561.20		13,438.80
DPW Purchase of Services	85,000.00	82,616.76		2,383.24
DPW Administration/Engineering Expenses	46,900.00	6,280.69	40,000.00	619.31

Pre-Closing Departmental Accounts continued on Page 3.

CITY OF FITCHBURG GENERAL FUND
PRE-CLOSING DEPARTMENTAL ACCOUNTS
JUNE 30, 2016

2016	APPROPRIATED	EXPENDED	ENCUMBERED	BALANCE
<i>Pre-Closing Departmental Accounts continued from Page 2.</i>				
Highway General Personal Services	858,997.00	858,139.92		857.08
Highway General Expenses	313,143.00	251,135.16	57,496.25	4,511.59
Municipal Garage Personal Services	175,630.00	175,629.47		0.53
Municipal Garage Expenses	222,000.00	209,750.04		12,249.96
Snow & Ice Personal Services	105,000.00	104,819.27		180.73
Snow & Ice Expenses	549,000.00	548,800.63		199.37
DPW Capital	71,457.00	71,456.68		0.32
DPW Street Lights	250,000.00	248,817.13	1,182.87	-
Cemetery Personal Services	240,018.00	238,727.99		1,290.01
Cemetery Expenses	69,300.00	48,272.40	21,000.00	27.60
Health Personal Services	593,032.00	553,596.38		39,435.62
Health Expenses	40,748.00	38,226.92		2,521.08
Rubbish Removal Expenses	1,506,000.00	1,477,032.60		28,967.40
Sanitary Landfill Expenses	454,000.00	446,992.71		7,007.29
Council On Aging Personal Services	186,144.00	178,863.83		7,280.17
Council On Aging Expenses	61,200.00	47,408.33	6,181.40	7,610.27
Veterans Personal Services	85,889.00	85,887.98		1.02
Veterans Expenses	2,500.00	2,350.40	149.60	-
Veterans' Benefits General	620,000.00	588,929.68		31,070.32
Public Library Personal Services	495,647.00	493,925.12		1,721.88
Public Library Expenses	209,180.00	188,752.47		20,427.53
Public Library Capital Expenses	58,480.00	-	58,480.00	-
Parks Personal Services	198,333.00	177,815.00		20,518.00
Parks Expenses	56,950.00	56,481.00	469.00	-
Recreation Personal Services	139,580.00	105,982.74		33,597.26
Recreation Expenses	51,600.00	31,751.27	11,740.09	8,108.64
Non-Contributory Pensions	15,000.00	14,265.89		734.11
Contributory Pensions	9,650,000.00	9,648,715.00		1,285.00
Workers' Compensation	358,000.00	356,940.94		1,059.06
Unemployment Compensation	255,000.00	235,907.03	14,831.00	4,261.97
Health Insurance	13,470,000.00	13,413,165.46		56,834.54
Life Insurance	280,000.00	274,411.76		5,588.24
Employer's FICA	900,000.00	882,392.17		17,607.83
Other Employee Benefits	830,000.00	782,183.93	47,816.00	0.07
Police Medical (Ch.41, Sec 100)	55,000.00	50,326.49		4,673.51
Fire Medical (Ch.41, Sec 100)	55,000.00	32,704.15		22,295.85
General Insurance	649,000.00	648,482.00		518.00
Montachusett Regional Planning Commission	12,000.00	11,987.60		12.40
Massachusetts Municipal Association Dues	7,500.00	6,683.00		817.00
Holiday Decorations	5,000.00	5,000.00		-
Montachusett Home Health Care	2,000.00	2,000.00		-
Johnny Appleseed Trail Association	32,000.00	32,000.00		-
Memorial Day	4,000.00	3,628.80		371.20
Civic Days	18,000.00	17,999.00		1.00
Disabilities Commission	1,000.00	256.41		743.59
Medicaid Billing Commissions	23,000.00	6,301.00	15,697.77	1,001.23
Veterans' Events	1,400.00	1,343.00	16.40	40.60
Subtotal 2016 Departmental Accounts	\$ 112,064,361.00	\$ 106,544,702.91	\$ 4,590,872.41	\$ 928,785.68
<i>Pre-Closing Departmental Accounts continued on Page 4.</i>				

**CITY OF FITCHBURG GENERAL FUND
PRE-CLOSING DEPARTMENTAL ACCOUNTS
JUNE 30, 2016**

<u>2015 - Encumbrances</u>	<u>APPROPRIATED</u>	<u>EXPENDED</u>	<u>ENCUMBERED</u>	<u>BALANCE</u>
City Auditor Expenses	\$ 70,500.00	\$ 52,100.00	\$ 12,500.00	\$ 5,900.00
Assessors Expenses	40,000.00	3,118.95	12,760.00	24,121.05
Treasurer Expenses	55,624.00	50,136.50		5,487.50
Treasurer Tax Title Foreclosure	53,544.00	53,544.00		-
Maturing Debt, Interest, & Costs	300.00	300.00		-
Information Technology Expenses	67,951.71	67,381.71	570.00	-
Other Legal Expenses	309.00	309.00		-
Election & Registration Expenses	100,000.00	86,500.00		13,500.00
Community Development Expenses	324,841.56	297,197.98	27,643.58	-
Building Expenses	326.25	326.25		-
Building City Hall General Expenses	9,050.23	9,050.23		-
Building Capital Expenses	30,814.72	30,814.72		-
Traffic Signal Expenses	5,813.30	5,813.30		-
Police Personal Services	295,535.49	295,520.57		14.92
Police Equipment & Repair	39,670.87	27,287.87		12,383.00
Police Maintenance of Building	20,590.75	20,590.75		-
Fire Personal Services	29,134.55	29,093.80		40.75
Fire General Maintenance	6,526.48	6,508.06		18.42
Fire Equipment and Repair	9,170.00	9,170.00		-
School Department	2,235,375.79	2,141,008.87	94,366.92	-
DPW Purchase of Services	10,578.36	10,578.36		-
DPW Highway General Expenses	31,834.43	31,834.43		-
DPW Municipal Garage Expenses	9,481.74	9,481.74		-
DPW Capital Expenses	131,096.46	-	131,096.46	-
DPW Street Lighting	7,260.49	7,260.49		-
Cemetery Personal Services	8,398.42	8,206.70		191.72
Cemetery Water System Ph II	8,503.86	-	8,503.86	-
Health Personal Services	80.32	80.32		-
Health Demolition	41,024.58	41,024.58		-
Health Sanitary Landfill	3,000.00	1,088.91		1,911.09
Council On Aging Expenses	19,750.00	8,483.63	11,266.37	-
Public Library Expenses	5,000.00	492.35	4,507.65	-
Parks Expenses	99.63	99.63		-
Recreation Expenses	8,464.39	8,464.39		-
Life Insurance	23,000.00	23,000.00		-
Employer's FICA	6,900.00	6,853.48		46.52
Other Employee Benefits	24,100.00	23,625.68		474.32
Veterans Events	950.00	950.00		-
Subtotal 2015 Encumbrances	\$ 3,734,601.38	\$ 3,367,297.25	\$ 303,214.84	\$ 64,089.29
Total Departmental Accounts	\$ 115,798,962.38	\$ 109,912,000.16	\$ 4,894,087.25	\$ 992,874.97

Annual Report
Auditor's Report
June 30, 2016
(cont)

CITY OF FITCHBURG
SPECIAL REVENUE SHARING (CDBG)
JUNE 30, 2016

	<u>APPROPRIATED</u>	<u>EXPENDED</u>	<u>BALANCE</u>
Housing Improvement Program	\$ 310,422.73	\$ 112,674.48	\$ 197,748.25
Fitchburg Business Pool	131,149.62	126.36	131,023.26
<u>2011</u>			
Gateway Beautification Phase I	7,916.02	7,916.02	-
Intown Sign and Façade	14,523.90	14,062.65	461.25
<u>2013</u>			
Sidewalk Accessibility Project	2,769.96	265.44	2,504.52
Crocker Playground Splash Pad	2,964.22	-	2,964.22
Demolition	29,263.58	29,263.58	-
<u>2014</u>			
Sidewalk Accessibility Project	10,000.00	-	10,000.00
Streetscapes Project	21,241.82	21,241.82	-
Main Street Pedestrian Mall	460.66	460.66	-
Gateway Beautification Phase IV	40,000.00	40,000.00	-
Demolition/Clearance Activity	105,015.96	105,015.96	-
<u>2015</u>			
Streetscapes Project	115,000.00	28,292.42	86,707.58
Crocker Field House Roof Restoration Ph II	4,838.40	2,692.34	2,146.06
Green Acres Play Area	15,000.00	6,817.58	8,182.42
Fitchburg Parks Signage Project	2,450.00	-	2,450.00
YMCA Spartacus Program	600.00	600.00	-
Boys & Girls Afterschool	1,300.00	1,300.00	-
Drug Suppression and Patrols	1,524.35	1,513.72	10.63
Planning & Administration	67,544.73	67,544.73	-
Demolition	30,245.12	30,245.12	-
United Neighbors of Fitchburg	9,570.96	9,569.98	0.98
MIHN Shelter	416.74	416.74	-
MOC Elder Home Repair Program	5,989.89	5,687.80	302.09
Parks/Playground Improvement	33,927.02	30,505.08	3,421.94
CDC Small Business & Microenterprise	1,666.00	1,666.00	-
<u>2016</u>			
Sidewalk Accessibility Project	10,000.00	-	10,000.00
Streetscapes Project	145,000.00	-	145,000.00
Crocker Field House Roof Restoration Ph III	22,000.00	-	22,000.00
YMCA Spartacus Program	10,000.00	10,000.00	-
Fitchburg Homeowners Rehab Project	80,000.00	-	80,000.00
Boys & Girls Afterschool	18,000.00	16,200.00	1,800.00
BOH Code Enforcement	140,000.00	132,657.30	7,342.70
Building Dept Code Enforcement	49,000.00	39,029.88	9,970.12
Drug Suppression and Patrols	65,000.00	64,994.84	5.16
Planning & Administration	217,000.00	138,517.47	78,482.53
Demolition	29,280.97	2,365.60	26,915.37
United Neighbors of Fitchburg	56,000.00	50,647.47	5,352.53
MIHN Shelter	10,000.00	8,333.30	1,666.70
Parks/Playground Improvement	92,338.71	10,812.50	81,526.21
CDC Small Business & Microenterprise	20,000.00	18,333.00	1,667.00
Total CDBG (Community Development Block Grant)	\$ 1,929,421.36	\$ 1,009,769.84	\$ 919,651.52

CITY OF FITCHBURG
CAPITAL PROJECTS
JUNE 30, 2016

	UNEXPENDED BALANCES
Municipal Purposes:	
Parking Garage Renovations	\$ 900,000.00
Equipment and Police Station Renovation	769,576.00
School E-Rate Data Infrastructure	680,209.34
School Repairs, Renovations, and Generators	156,473.64
Various Municipal Purposes	55,586.57
Library Roof and Other Capital	33,670.28
Subtotal	2,595,515.83
Airport Terminal, Easements, and Other Capital	5,668,694.05
Subtotal - Municipal Purposes	\$ 8,264,209.88
Water Enterprise:	
Water Main Replacement	-
Subtotal - Water Enterprise	\$ -
Wastewater Treatment Enterprise:	
Combined Sewer Separation	1,139,273.62
Beech-Hazel Combined Sewer Separation 2016	4,000,000.00
Hydraulic Model	712,218.77
East Wastewater Facility Projects	31,227,608.89
Subtotal - Wastewater Treatment Enterprise	\$ 37,079,101.28
Total Capital Projects	\$ 45,343,311.16

CITY OF FITCHBURG
FUNDED DEBT
JUNE 30, 2016

	OUTSTANDING BALANCE
Municipal Purpose Loans:	
	\$ 8,210,000.00
New High School	1,083,000.00
New Fire Station	175,000.00
School Remodeling, Repairs, & Equipment	350,000.00
School Remodeling	220,000.00
Library Roof and Other Capital	485,000.00
School Boilers	965,000.00
School Remodeling	955,000.00
Departmental Equipment	1,000,000.00
Departmental Equipment and Police Station Renovation	130,000.00
School Data Infrastructure Upgrade	
	\$ 13,573,000.00
Subtotal Municipal Purpose Loans	
Water Enterprise Fund Loans:	
	\$ 3,760,000.00
Water Filtration Project: DW99-06 (via State)	2,040,000.00
Water Filtration Project: DW00-10 (via State)	3,085,000.00
Water Filtration Project: DW00-10A (via State)	4,675,283.40
Water Filtration Project: DW01-16 (via State)	500,000.00
Water Treatment Clairifier	1,480,000.00
Water Main Replacement	
	\$ 15,540,283.40
Subtotal Water Enterprise Fund Loans	
Wastewater Treatment Fund Loans:	
	\$ 457,000.00
Wastewater: Odor Control CW97-30 (via State)	435,000.00
Wastewater Treatment Improvements	350,000.00
Sewer Separation: CW03-12 (via State)	3,435,008.00
Sewer Separation: CW03-12A (via State)	976,014.64
Sewer Separation: CW03-12B (via State)	4,059,000.00
Wastewater Treatment Improvements	5,090,346.00
Sewer Capital Improvements: CW08-03 (via State)	768,157.93
Sewer Capital Improvements: CW08-03A (via State)	255,502.00
Sewer Separation: CW03-12C (via State)	1,500,000.00
Wastewater Plant and Sewer Upgrades	1,615,000.00
Combined Sewer Separation & WWTF Improvements	5,350,252.00
Various Sewer Projects: CWP-12-01 (via State)	6,854,448.00
Various Sewer Projects: CWP-12-02 (via State)	13,226,853.00
Various Sewer Projects: CWP-13-01 (via State)	721,426.00
Sewer Separation: CWP-12-01A (via State)	1,150,529.00
Sewer System Improvements	1,500,000.00
Various Sewer Projects	217,471.00
Combined Sewer Separation	
	\$ 47,962,007.57
Subtotal Wastewater Treatment Fund Loans	
Total - All Funded Debt	\$ 77,075,290.97

CITY OF FITCHBURG
AGENCY AND TRUST FUNDS
JUNE 30, 2016

AGENCY FUNDS		BALANCE
Deputy Collector's Fees	\$	23,430.00
Tax Custodian Auction Escrow		4,200.00
Fees for Paypal Escrow		330.00
Tailings		258,263.28
Performance Deposits		41,545.00
Police Drug Escrow		40,034.65
Firearm Licensing Fees		6,462.50
Non-City Grant		5,000.00
Police Salary Escrow		3,764.00
Payroll and Payroll Withholdings		92,413.80
Total Agency Funds	\$	475,443.23

TRUST FUNDS IN HANDS OF TREASURER

	NON-EXPENDABLE	EXPENDABLE	TOTAL
Stabilization Fund	\$ -	\$ 5,447,258.09	\$ 5,447,258.09
Health Trust Fund	-	5,638,680.27	5,638,680.27
Other Post Employment Benefits	-	255,653.14	255,653.14
<i>Welfare Funds:</i>			
E.G. Poole	10,560.00	194,211.17	204,771.17
Nathan Whitcomb	13,861.00	200,292.13	214,153.13
Jonas Marshall	600.00	9,309.62	9,909.62
Boutelle Robinson	1,000.00	17,145.34	18,145.34
E.E. Armes	500.00	539.57	1,039.57
A.S. Fisher	2,000.00	18,374.48	20,374.48
D.M. Dillon	25,000.00	9,561.16	34,561.16
<i>School Funds:</i>			
Marion Putnam	2,000.00	23,809.26	25,809.26
A.E. Nolan	1,000.00	19,764.94	20,764.94
George F. Hoffman	1,500.00	606.94	2,106.94
FHS Class of 1869	500.00	1,542.87	2,042.87
Goodrich Street School	1,000.00	6,766.84	7,766.84
S.S. Richardson	8,900.00	1,228.08	10,128.08
Alvah Crocker	41,834.90	11,511.84	53,346.74
Crocker Building		1,551.40	1,551.40
Brisson French Language Development	52,890.21	36,985.20	89,875.41
Henry E. Cowdrey	371,954.67	238,992.68	610,947.35
<i>Library Funds:</i>			
Walter Heywood	5,000.00	2,059.62	7,059.62
L.A. Lemere	5,204.71	1,981.97	7,186.68
<i>Cemetery Funds:</i>			
Mausoleum	4,800.00	1,146.05	5,946.05
Rosa H. Brown	500.00	3,331.03	3,831.03
Perpetual Care	1,220,576.73	74,208.28	1,294,785.01
<i>Miscellaneous Funds:</i>			
H.F. Coggs	14,500.00	44,055.54	58,555.54
Conservation Commission	500.00	5,499.61	5,999.61
G.R. Wallace Creative Citizen	50,000.00	48,508.00	98,508.00
Anna J. Kujanpaa - Health	18,931.16	7,716.40	26,647.56
Clara L. Tenney	45,464.98	41,719.42	87,184.40
Total Trust Funds in Hands of Treasurer	\$ 1,900,578.36	\$ 12,364,010.94	\$ 14,264,589.30

Annual Report
Auditor's Report
June 30, 2016
(cont)

CITY OF FITCHBURG
TRUST FUNDS IN HANDS OF LIBRARY TRUSTEES
JUNE 30, 2016

	<u>NON EXPENDABLE</u>	<u>EXPENDABLE</u>	<u>TOTAL</u>
Aittola	\$ 10,000.00	\$ 1,390.88	\$ 11,390.88
Aubuchon, Camille	10,100.00	748.12	10,848.12
Boudreau Memorial	1,403.51	78.90	1,482.41
Cain	1,900.00	473.54	2,373.54
Casassa	2,200.00	486.72	2,686.72
Henry	7,000.00	994.79	7,994.79
Hoffman	300.00	111.96	411.96
Irish American	5,330.00	368.61	5,698.61
Kabatchnik	10,000.00	3,095.61	13,095.61
Lemay, J. Harold	1,100.00	243.39	1,343.39
Lemay, Paul	1,053.00	358.07	1,411.07
Pierce	54,000.00	30,019.26	84,019.26
Rice Memorial Concert	4,200.00	1,049.56	5,249.56
Rosenbaum	7,200.00	1,909.32	9,109.32
Salny	3,200.00	530.77	3,730.77
Simonds	8,800.00	1,403.95	10,203.95
Sipila	10,000.00	1,597.69	11,597.69
Smith	15,100.00	3,612.34	18,712.34
Solander	500.00	7,968.46	8,468.46
Vickery Principal	10,000.00	50,447.95	60,447.95
Vose	1,000.00	411.08	1,411.08
Wallace, A.G. Anniversary	1,000.00	230.86	1,230.86
Wallace, A.G. Memorial	5,460.00	482.51	5,942.51
Wallace, Herbert I.	5,000.00	1,112.51	6,112.51
West	7,300.00	2,931.00	10,231.00
Willis	24,000.00	2,653.40	26,653.40
Unrestricted Funds	39,445.29	340,667.90	380,113.19
A&G Wallace Principal	-	1,013,678.60	1,013,678.60
Total Trust Funds in Hands of Library Trustees	\$ 246,591.80	\$ 1,469,057.75	\$ 1,715,649.55

Reading waived. Report placed on file in the City Clerk's Office.

REPORTS OF COMMITTEES

City Property Committee - Oral Report
Meeting of September 20, 2016

The City Property Committee recommended the following Petition be granted:

216-16. Calvin D. Brooks, City Treasurer, to declare as excess and designate the following properties to the Side Yard Sales Program:

- | | |
|------------------------|-----------------|
| 1. 768 Water Street | Parcel 122-9-0 |
| 2. 65 Minneapolis Ave. | Parcel 202-61-0 |
| 3. 0 Garnet Street | Parcel 31-34-2 |

TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

Ladies and Gentlemen:

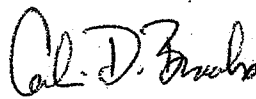
The undersigned Petition your Honorable Body to

After receiving surplus needs surveys from the City Clerk, declare as excess the following properties and designate them to the Side Yard Sales Program.

- | | |
|------------------------|-----------------|
| 1. 768 Water Street | Parcel 122-9-0 |
| 2. 65 Minneapolis Ave. | Parcel 202-61-0 |
| 3. 0 Garnet Street | Parcel 31-34-2 |

These parcels were recently acquired by the city through Land Court foreclosure of tax liens. Because they are owned by the city, they are currently exempt from taxation and the city is responsible for any maintenance. Sale of the property through the Side Yard Sales Program will return the property to the tax rolls and shift any maintenance responsibility to the new owner.

Respectfully submitted,



Calvin D. Brooks
Treasurer

16 AUG 22 09 16
FITCHBURG CITY CLERK

Reports of
Committees

City Property
Committee (cont)



CALVIN D. BROOKS
Treasurer

City of Fitchburg

OFFICE OF THE TREASURER

166 Boulder Drive
Fitchburg, MA 01420

978-829-1830
FAX 978-829-1971

August 12, 2016

Mayor Stephen L. DiNatale
166 Boulder Drive
Fitchburg, MA 01420

Re: 768 Water Street
Parcel 122-9-0 Case No. 14 TL 149840

Dear Mayor DiNatale:

Our attorney has advised that on June 9, 2016, Land Court issued judgment in the city's tax lien foreclosure case on the above property. This parcel is land only; there are no buildings. Taxes due on the property, not including interest, are \$51,328.78, and do not include FY2017 property taxes. This amount does include a demolition lien of \$22,615.00.

I have prepared a petition to City Council requesting that they declare this parcel excess of the city's needs and refer it to the Side Yard Sales Program.

Thank you.

Sincerely,

Calvin D. Brooks
Treasurer

Enc.

Cc: Ken Wilson, Chief Assessor
Richard Sarasin, City Auditor
Michelle Shepard, Assistant Treasurer
Vincent Pusateri, City Solicitor
NICE Committee-email

Unofficial Property Record Card - Fitchburg, MA

General Property Data

Parcel ID 122-9-0	Account Number 0
Prior Parcel ID -22.44-0.04286	Property Location 768 WATER ST
Property Owner NEWTON, JOSEPH + ANN (TE)	Property Use POTENTL
C/O RONNIE JONES	Most Recent Sale Date 11/17/1972
Mailing Address 36 MOHAWK DRIVE	Legal Reference 1101-469
	Grantor SIVER
City GARDNER	Sale Price 14,500
Mailing State MA Zip 01440	Land Area 0.136 acres
ParcelZoning-CBD	

Current Property Assessment

Land Value 25,200	Building Value 0	Total Value 25,200
-------------------	------------------	--------------------

Building Description

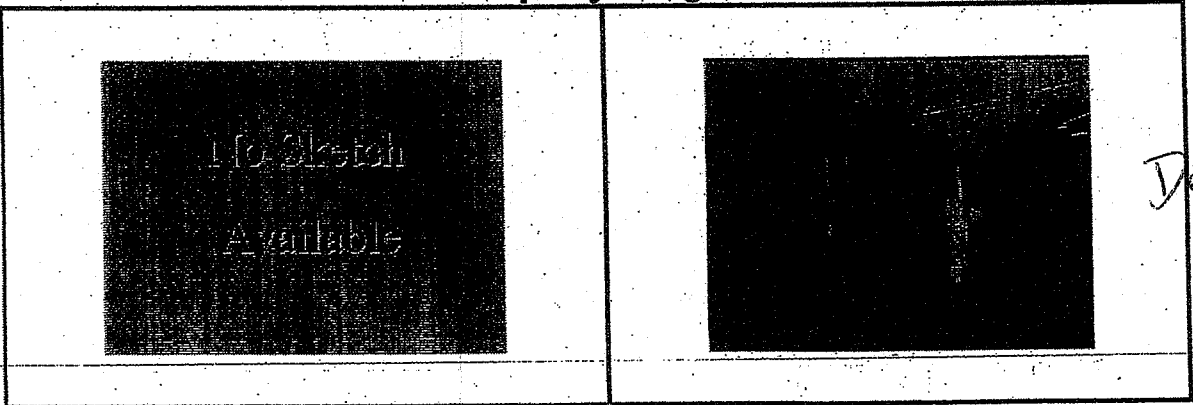
Building Style N/A	Foundation Type N/A	Flooring Type N/A
# of Living Units N/A	Frame Type N/A	Basement Floor N/A
Year Built N/A	Roof Structure N/A	Heating Type N/A
Building Grade N/A	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding N/A	Air Conditioning 0%
Finished Area (SF) N/A	Interior Walls N/A	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 0.136 acres of land mainly classified as POTENTL with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

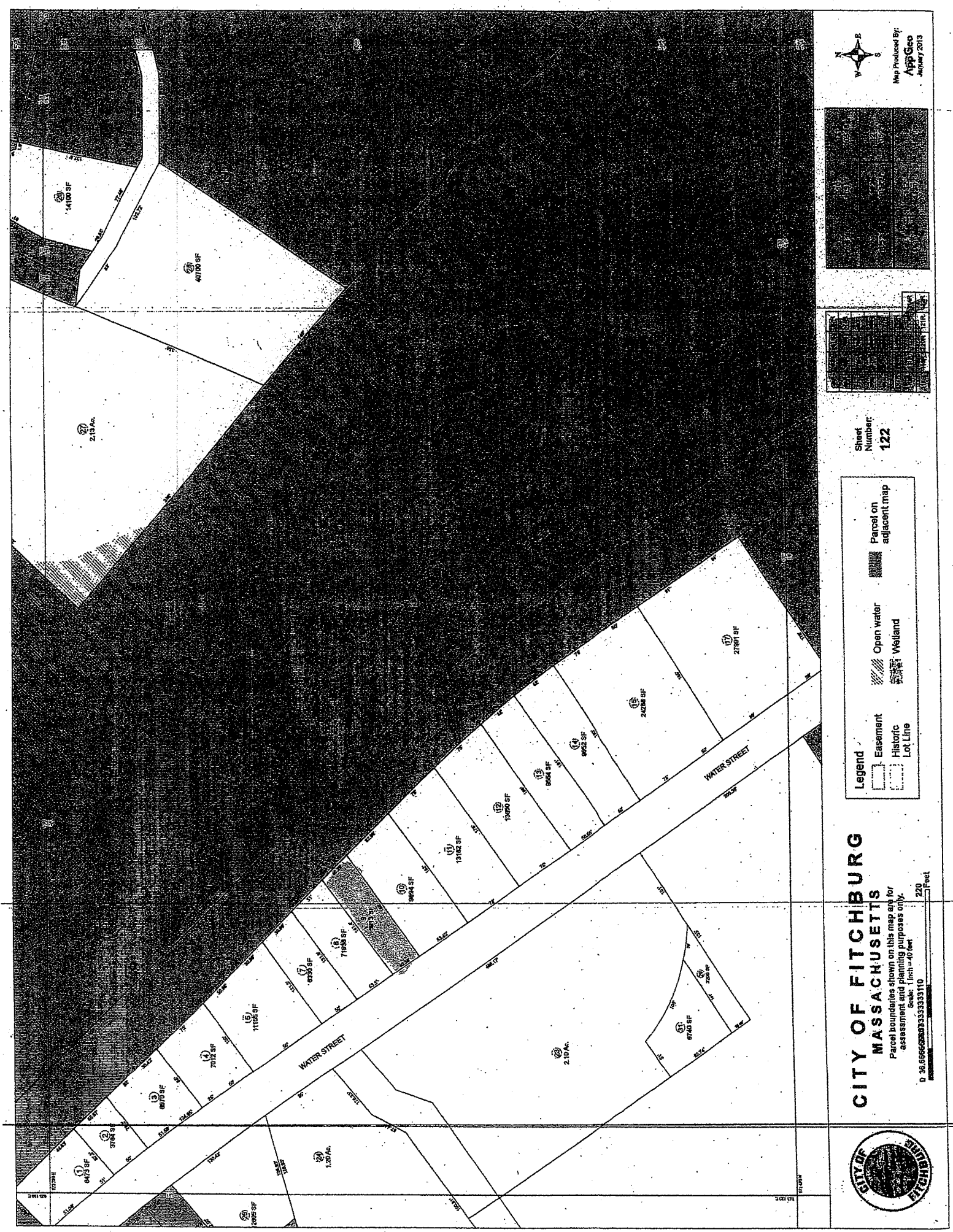
Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Reports of
Committees

City Property
Committee (cont)



City of Fitchburg, September 20, 2016



CALVIN D. BROOKS
Treasurer

City of Fitchburg

OFFICE OF THE TREASURER

166 Boulder Drive
Fitchburg, MA 01420

978-829-1830
FAX 978-829-1971

August 12, 2016

Mayor Stephen L. DiNatale

166 Boulder Drive
Fitchburg, MA 01420

Re: 65 Minneapolis Avenue
Parcel 202-61-0 Case No. 14 TL 149811

Dear Mayor DiNatale:

Our attorney has advised that on June 20, 2016, Land Court issued judgment in the city's tax lien foreclosure case on the above property. This parcel is land only; there are no buildings. Taxes due on the property, not including interest, are \$18,472.40, and do not include FY2017 property taxes. This amount does include a demolition lien of \$7,644.11.

I have prepared a petition to City Council requesting that they declare this parcel excess of the city's needs and refer it to the Side Yard Sales Program.

Thank you.

Sincerely,

Calvin D. Brooks
Treasurer

Enc.

Cc: Ken Wilson, Chief Assessor
Richard Sarasin, City Auditor
Michelle Shepard, Assistant Treasurer
Vincent Pusateri, City Solicitor
NICE Committee-email

Reports of
Committees

City Property
Committee (cont)

Reports of
Committees

City Property
Committee (cont)

[SEAL]

Land Court costs \$875.67

Legal Fees \$2,810.59

Re: 65 Minneapolis Ave (bldg) Assessors: 0202-0061-0

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT



COPY

Case No.: 14 TL 149811

JUDGMENT IN TAX LIEN CASE

City of Fitchburg

vs.

Josephine C. Mangiacotti

This case came on to be heard and was argued by counsel, and thereupon, upon consideration thereof, it is

ADJUDGED and ORDERED that all rights of redemption are forever foreclosed and barred under the following deed(s) given by and/or the tax taking(s) made by the Collector of Taxes for the City of Fitchburg in Worcester County and said Commonwealth:

<u>Land Type</u>	<u>Tax Taking Date</u>	<u>Book No.</u>	<u>Page No.</u>	<u>Document No.</u>	<u>Certificate of Title No.</u>
Recorded	10/31/2002	4434	18		

By the Court: Deborah J. Patterson

Attest:

A TRUE COPY
ATTEST:

Deborah J. Patterson
RECORDER

Deborah J. Patterson
Recorder

Entered: June 20, 2016

Unofficial Property Record Card - Fitchburg, MA

General Property Data

Parcel ID 202-61-0

Prior Parcel ID -18.983-0.0481

Property Owner MANGIACOTTI, JOSEPHINE C.

Mailing Address 425 BERNARDO DRIVE

City MORRO BAY

Mailing State CA Zip 93442

ParcelZoning RA2

Account Number

Property Location 65 MINNEAPOLIS AV

Property Use MOBIL H

Most Recent Sale Date 1/1/1900

Legal Reference 655-582

Grantor N/A

Sale Price 1

Land Area 0.174 acres

Current Property Assessment

Land Value 17,700

Building Value 2,400

Total Value 20,700

Building Description

Building Style MOBILE HM

of Living Units 1

Year Built 1961

Building Grade FAIR

Building Condition Poor

Finished Area (SF) 504

Number Rooms 3

of 3/4 Baths 0

Foundation Type CONCRETE

Frame Type WOOD

Roof Structure FLAT

Roof Cover METAL

Siding ALUMINUM

Interior Walls PLYWD PANL

of Bedrooms 1

of 1/2 Baths 0

Flooring Type SOFTWOOD

Basement Floor N/A

Heating Type FORCED H/A

Heating Fuel OIL

Air Conditioning 0%

of Bsmt Garages 0

of Full Baths 1

of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 0.174 acres of land mainly classified as MOBIL H with a(n) MOBILE HM style building, built about 1961 , having ALUMINUM exterior and METAL roof cover, with 1 unit(s), 3 room(s), 1 bedroom(s), 1 bath(s), 0 half bath(s).

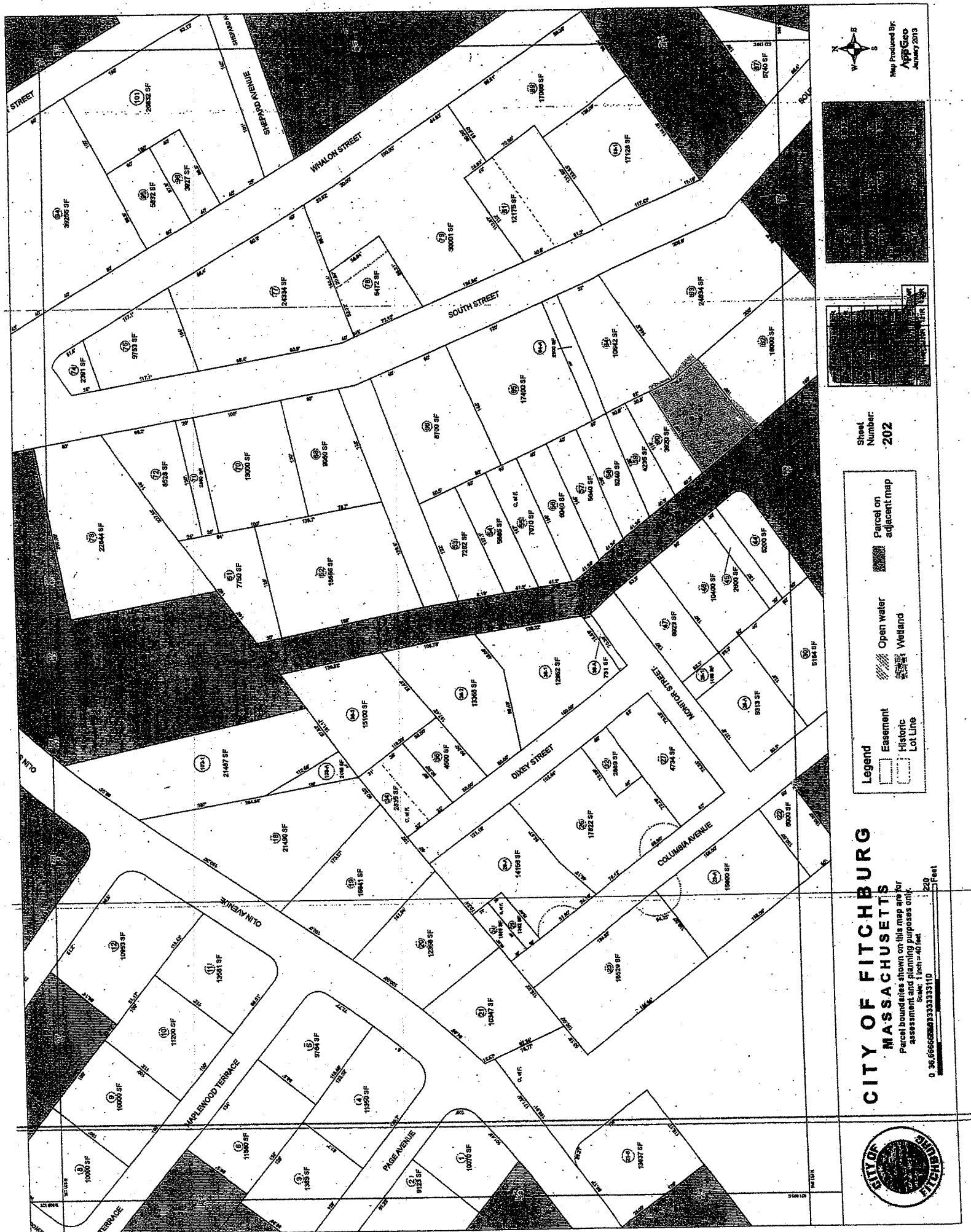
Property Images

IMAGE

Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Reports of
Committees

City Property
Committee (cont)



City of Fitchburg,

September 20, 2016



CALVIN D. BROOKS
Treasurer

City of Fitchburg

OFFICE OF THE TREASURER

166 Boulder Drive
Fitchburg, MA 01420

978-829-1830
FAX 978-829-1971

August 12, 2016

Mayor Stephen L. DiNatale
166 Boulder Drive
Fitchburg, MA 01420

Re: Garnet Street
Parcel 31-34-2 Case No. 15 TL 000674

Dear Mayor DiNatale:

Our attorney has advised that on June 9, 2016, Land Court issued judgment in the city's tax lien foreclosure case on the above property. This parcel is land only; there are no buildings. Taxes due on the property, not including interest, are \$5,274.91, and do not include FY2017 property taxes.

I have prepared a petition to City Council requesting that they declare this parcel excess of the city's needs and refer it to the Side Yard Sales Program.

Thank you.

Sincerely,

Calvin D. Brooks
Treasurer

Enc.

Cc: Ken Wilson, Chief Assessor
Richard Sarasin, City Auditor
Michelle Shepard, Assistant Treasurer
Vincent Pusateri, City Solicitor
NICE Committee-email

Reports of
Committees

City Property
Committee (cont)

Reports of
CommitteesCity Property
Committee (cont)

Court costs \$561.42

Legal Fees \$1,196.74

[SEAL]

RE: Garnet St - Assessors: 0031-0034-2

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT

COPY

Case No.: 15 TL 000674

JUDGMENT IN TAX LIEN CASE

City of Fitchburg

vs.

Michael J Larkin, Jr.

This case came on to be heard and was argued by counsel, and thereupon, upon consideration thereof, it is

ADJUDGED and ORDERED that all rights of redemption are forever foreclosed and barred under the following deed(s) given by and/or the tax taking(s) made by the Collector of Taxes for the City of Fitchburg in Worcester County and said Commonwealth:

Land Type
RecordedTax Taking Date
03/23/2009Book No.
6908Page No.
120Document No.Certificate of
Title No.

By the Court: Deborah J. Patterson

Attest:

A TRUE COPY
ATTEST:*Deborah J. Patterson*
RECORDERDeborah J. Patterson
Recorder

Entered: June 9, 2016

Unofficial Property Record Card

Page 1 of 1

Unofficial Property Record Card - Fitchburg, MA

General Property Data

Parcel ID 31-34-2	Account Number
Prior Parcel ID -21.335-0.04286	Property Location 0 GARNET ST
Property Owner LARKIN, MICHAEL J. JR.	Property Use POTENTL
Mailing Address 10 MAPLE ST. SUITE 302	Most Recent Sale Date 7/28/2006
City MIDDLETON	Legal Reference 6191-042
Mailing State MA Zip 01949	Grantor LARKIN, MICHAEL J. JR.,
Parcel Zoning RB	Sale Price 1
	Land Area 0.258 acres

Current Property Assessment

Land Value 23,900	Building Value 0	Total Value 23,900
Building Description		
Building Style	Foundation Type	Flooring Type N/A
# of Living Units 0	Frame Type	Basement Floor N/A
Year Built N/A	Roof Structure	Heating Type N/A
Building Grade	Roof Cover	Heating Fuel N/A
Building Condition N/A	Siding	Air Conditioning 0%
Finished Area (SF) N/A	Interior Walls N/A	# of Bemt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

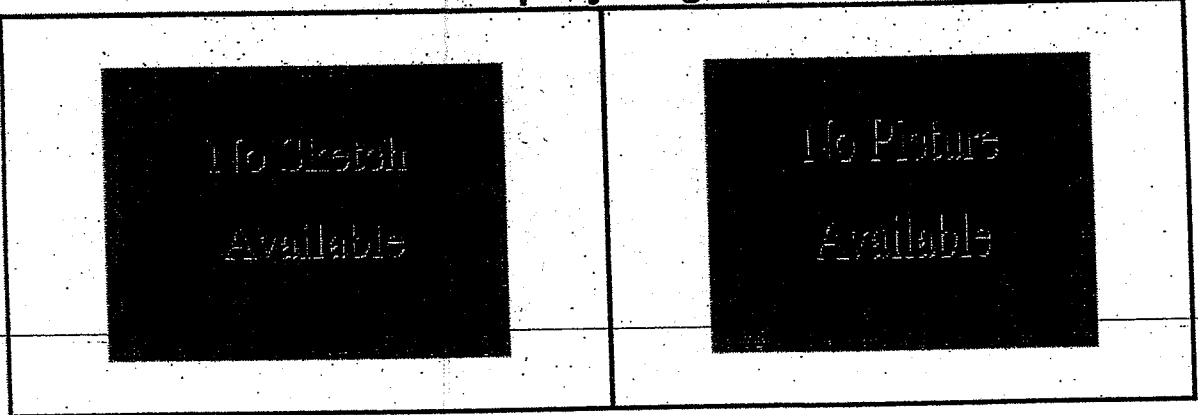
Legal Description

9/1/05 PLAN 458 PG. 17

Narrative Description of Property

This property contains 0.258 acres of land mainly classified as POTENTL with a(n) style building, built about N/A , having exterior and roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

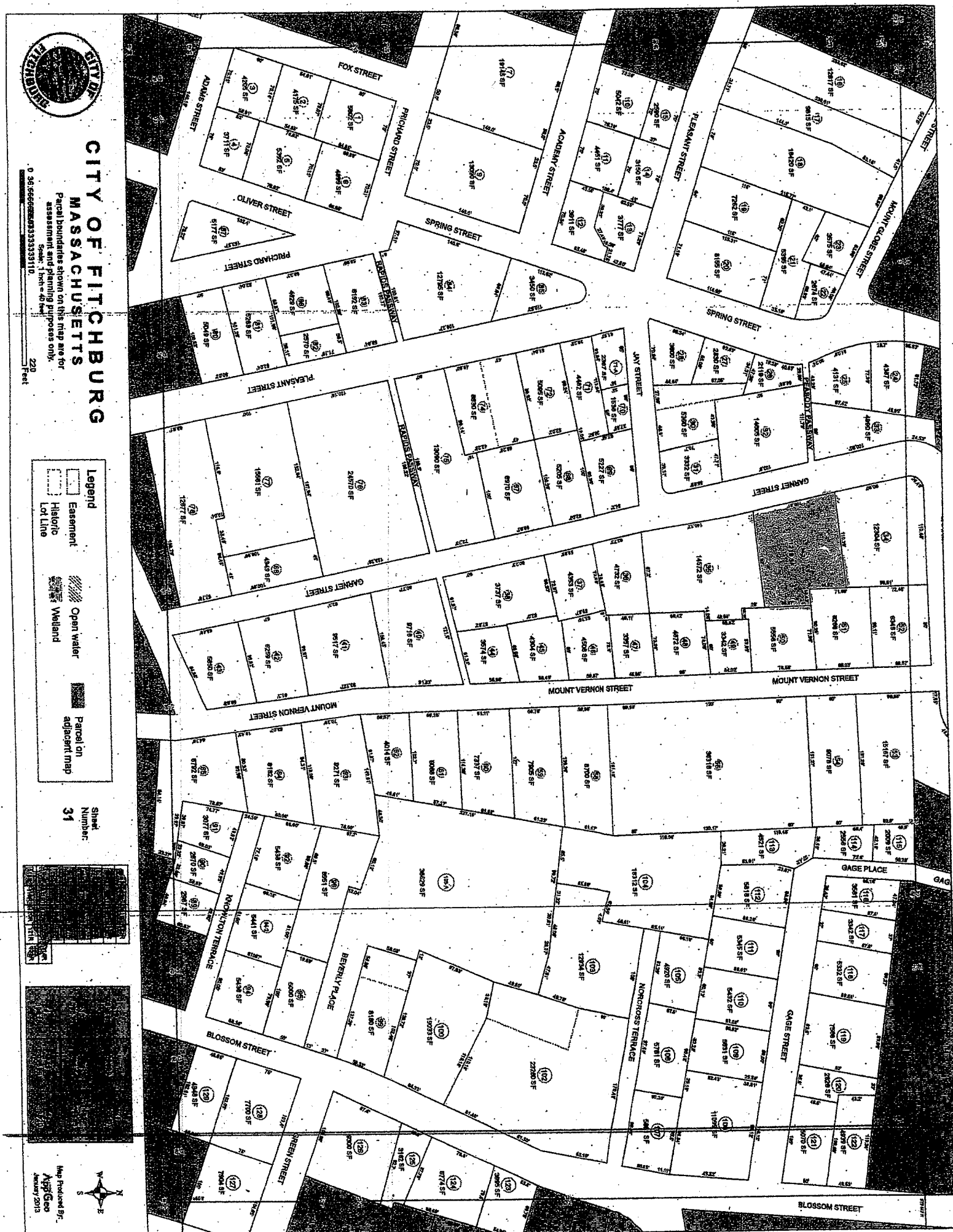
Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Reports of
Committees

City Property
Committee (cont)



Report accepted. Petition granted by unanimous vote. 10
members present. Board consists of 11 members.

Reports of
Committees

City Property
Committee (cont)

The City Property Committee recommended the following Petition be granted:

- 218-16. Scott Ellis, Airport Manager, to authorize his Honor Mayor Stephen L. DiNatale, to execute a utility easement for 567 Crawford Street, Fitchburg, MA. For reason says, Verizon requires an easement prior to placing utility services on the Fitchburg Municipal Airport property located at 567 Crawford St.

TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

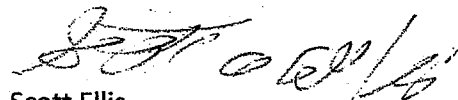
Ladies and Gentlemen:

The undersigned Petition your Honorable Body to

To authorize his Honor Mayor Stephen L. DiNatale to execute a utility easement for 567 Crawford Street, Fitchburg Massachusetts.

For reason says, Verizon requires an easement prior to placing utility services on the Fitchburg Municipal Airport property located at 567 Crawford Street.

Respectfully submitted,



Scott Ellis
Airport Manager

16 SEP - 1 09 12
FITCHBURG CITY CLERK

Reports of
Committees

City Property
Committee (cont)

Property Address: 567 Crawford Street, Fitchburg, MA

EASEMENT

KNOW ALL MEN BY THESE PRESENTS that the CITY OF FITCHBURG, a municipal corporation duly established under the laws of the Commonwealth of Massachusetts and having a usual place of business at City Hall Offices, 166 Boulder Drive, Fitchburg, Massachusetts 01420 (hereinafter referred to as the Grantor), for consideration of One (\$1.00) Dollar in hand paid by the Grantee to the Grantor, the receipt and sufficiency of which is hereby acknowledged, grants to VERIZON NEW ENGLAND, INC., a New York corporation, having its principal place of business at 125 High Street, Oliver Tower, 7th Floor, Boston, Massachusetts 02110, its successors and assigns. (hereinafter referred to as the Grantee) with quitclaim covenants, the following rights and easements:

OVERHEAD SYSTEM

Grantor grants to Grantee the exclusive and perpetual right and easement to install, construct, reconstruct, repair, replace, add to, maintain and operate for the transmission and/or distribution of intelligence and telecommunications and for the transmission of high and low voltage electric current, lines to consist of, but not limited to, two (2) poles with wires and cables installed thereon, and all necessary foundations, anchors, guys, braces, fittings, equipment and appurtenances (hereinafter referred to as the "OVERHEAD SYSTEM") over, across, under and upon the Grantor's land in Fitchburg, Worcester County, Massachusetts to serve Grantor's property and others.

Said OVERHEAD SYSTEM is to be installed on Grantor's property, which is located on the easterly side of Crawford Street, to originate from Pole T.4, which is located easterly side of Crawford Street and the northerly side of Boulevard Street, then proceed in a southwesterly direction over, across and upon land of the Grantor to new Pole T.5, then continue in a southwesterly direction over, across and upon land of the Grantor to new Pole T.6, to become established by and upon the final installation thereof by the Grantee.

Also with the further perpetual right and easement from time to time without further payment therefore to pass and repass over, across and upon said land of Grantor as is reasonable and necessary in order to renew, replace, repair, remove, add to,

Return to: Albert Bessette, Jr.,
Right of Way Manager
Verizon
365 State Street
Springfield, MA 01105

maintain, operate and patrol and otherwise change said OVERHEAD SYSTEM and each and every part thereof, but not the general location thereof, and to make such other excavation or excavations as may be reasonably necessary in the opinion and judgment of the Grantee, its successors and assigns and to clear and keep cleared the portions and areas of the premises wherein the OVERHEAD SYSTEM is specifically located of such trees, shrubs, bushes, structures, objects and surfaces, as may, in the opinion and judgment of the Grantee, interfere with the efficient and safe operation and maintenance of the OVERHEAD SYSTEM.

It is agreed that the OVERHEAD SYSTEM shall remain the property of the Grantee, its successors and assigns. Grantor agrees that the rights and easement herein granted are for the purpose of providing service to Grantor's property and the further right to service others from said OVERHEAD SYSTEM. The rights and easement herein granted are over, across and upon a certain parcel of land being part of the Fitchburg Airport property and more particularly shown on the City of Fitchburg Assessor's Map Parcel ID: 122R-5-0.

UNDERGROUND SYSTEM

Grantor grants to Grantee the perpetual right and easement to lay, construct, reconstruct, operate, maintain, replace and remove LINES for the transmission of intelligence and telecommunications upon, over, under and across the land of Grantor, located in Fitchburg, Worcester County, Massachusetts.

The above granted rights being more particularly described as the perpetual right to construct, reconstruct, operate, maintain, replace and remove UNDERGROUND CABLES, pipes, conduits, hand holes and such surface testing terminals, pedestals, repeaters, markers, and other appurtenances with wires and/or cables therein as the Grantee may from time to time desire within a ten foot strip of land beginning at new pole T.6 and running in a southwesterly direction a distance of approximately three hundred (300) feet to the building at 567 Crawford Street and then into an interior terminal room of, all of which shall then become permanent upon placement of the aforementioned facilities, with the right to cut down and keep trimmed all trees, bushes, underbrush and growth including the foliage thereon as Verizon may from time to time deem necessary for the safe operation of said lines.

The herein granted right and easement is more particularly described as that certain strip(s) of land situated within and along said Grantor's land for Verizon to install the necessary cables, wires, conduit, equipment and facilities as described above to be owned, operated and maintained exclusively by said Verizon for the transmission and distribution of intelligence and communication by electricity or otherwise to serve Grantor's property and others. It is also agreed that any cables, lines, equipment and appurtenant facilities and each and every part thereof, whether fixed to the realty or not,

Reports of
Committees

City Property
Committee (cont)

shall be and remain exclusively the property of Verizon, its successors and assigns, as its interest appears.

Verizon shall have the right to connect such conduits, manholes, cables and wires with the poles, conduits, cables and wires which are located or which may be placed in parcels of land, private ways, public ways or streets within, adjacent or contiguous to the aforesaid premises. Permission is herein granted to enter said private way, strips of land and premises for all the above purposes.

It is agreed that the exact location of the facilities shall be established by the installation and placements of said facilities within the above described easement area. It is mutually agreed that the parties shall not unreasonably interfere with each other's use of the easement area. Grantor shall have the right to use the easement area herein granted for any purpose not inconsistent with the rights granted to Verizon hereunder.

Also with the further perpetual right and easement from time to time to renew, repair, replace, add to, maintain, operate, patrol and otherwise change said underground system and each and every part thereof and to make such other excavation or excavations as may be reasonably necessary in the opinion and judgment Verizon, its successors and assigns. However, said Verizon, its successors and assigns, will properly backfill said excavation or excavations and restore the surface of the land to as reasonably good condition as said surface was in immediately prior to the excavation or excavations thereof.

For Grantor's title, see deed dated July 29, 1940 and recorded with the Worcester County Northern District Registry of Deeds at Book 569, Page 551.

IN WITNESS WHEREOF, the Grantor has hereunto caused its corporate seal to be affixed hereto and these presents to be signed, acknowledged and delivered in its name, and on its behalf, by STEVEN L. DINATALE, its Mayor, as of this _____ day of _____, 2016.

CITY OF FITCHBURG

STEVEN L. DINATALE, Mayor

City of Fitchburg,

September 20, 2016

Reports of
Committees

City Property
Committee (cont)

COMMONWEALTH OF MASSACHUSETTS

County of _____, ss _____, 2016

On this _____ day of _____, 2016, before me, the undersigned
notary public, personally appeared STEVEN DINATALE, proved to me through
satisfactory evidence of identification, which was _____
_____ (source of identification) to be the person whose name is signed on the preceding
or attached document, and acknowledged to me that he signed it voluntarily for its stated
purpose as Mayor of Fitchburg.

Before me,

Notary Public
Print Name _____
My Commission expires: _____

Approved and Adopted by the Fitchburg City Council at a public meeting held on
_____, 2016, on a call of yeas and nays.

_____ Yeas _____ Nays _____ Abstain

I hereby certify the vote of the Fitchburg City Council on this _____ of _____
_____, 2016

Anna M. Farrell
City Clerk

Report accepted. Petition granted by unanimous vote. 10
members present. Board consists of 11 members.
Petition forwarded to the City Solicitor for preparation of the
required easement.

Reports of
Committees

Finance Committee

Finance Committee
Meeting of September 13, 2016

The Finance Committee recommended the following Petition be held in Committee:

- 195-16. City Solicitor Vincent Pusateri, II to:
1. Approve the fees schedule in the attached retainer agreement;
 2. Amend the Code of the City of Fitchburg by inserting Section 3-59 - The City Solicitor and Assistant City Solicitor shall be permitted to require third parties to pay the City of Fitchburg's legal fees for services actually performed at the rate of \$250.00 per hour for attorneys and \$125.00 per hour for paralegals. When doing so a retainer or fee agreement shall be forwarded to said third party along with a retainer request.

Report read and accepted. Petition held in Committee by unanimous vote. 10 members present. Board consists of 11 members.

The Finance Committee recommended the following Petition be denied:

- 206-16. Councillors Bean, Beauchemin, Green, Bisol and Clark, to restore the option to allow the City Council members to participate in health care benefits.

Report read and accepted. Petition denied by unanimous vote. 10 members present. Board consists of 11 members.

The Finance Committee recommended the following Orders be adopted:

- 210-16. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Public Safety and Security, for the FY17-State 911 Department Support and Incentive Grant in the approximate of \$115,227, for the purposes of said grant.
- 211-16. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Federal Department of Justice, Office of the Justice Programs, for the FY17 Local JAG Award-LLEBG 20, in the approximate amount of \$28,415, for the purposes of said grant.

Report read and accepted. Orders adopted by unanimous vote. 10 members present. Board consists of 11 members.
Orders signed by the Mayor September 22, 2016.

Legislative Affairs Committee-Oral Report
Meeting of September 20, 2016

The Legislative Affairs Committee recommended the following
Petition be granted:

- 219-16. Vincent P. Pusateri, II, Esquire, to enact Chapter 72
Article III Section 6-9 of the City of Fitchburg
Ordinance, entitled "Stretch Energy Code" as outlined
in the enclosed Petition.

TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

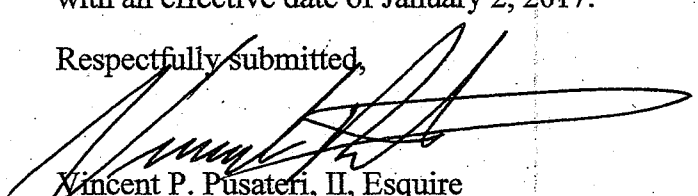
16 AUG 31 14 00
FITCHBURG CITY CLERK

Ladies and Gentlemen:

The undersigned Petition your Honorable Body to

To enact Chapter 72 Article III section 6-9 of the City of Fitchburg ordinance, entitled "Stretch Energy Code" for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of January 2, 2017.

Respectfully submitted,


Vincent P. Pusateri, II, Esquire
City Solicitor for the City of Fitchburg

Chapter 72 Article III**STRETCH ENERGY CODE****§ 72-6 Definitions****§ 72-7 Purpose****§ 72-8 Applicability****§ 72-9 Stretch Code****§ 72-6 Definitions**

International Energy Conservation Code (IECC) - The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards.

Stretch Energy Code - Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the 9th edition Massachusetts building code, the Stretch Energy Code is an appendix to the Massachusetts building August 2016 code, based on further

Reports of
Committees

Legislative
Affairs
Committee (cont)

amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency of buildings built to this code.

§ 72-7 Purpose

The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the building code for new buildings.

§ 72-8 Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 13, 34, 51, as applicable.

§ 72-9 Stretch Code

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future editions, amendments or modifications, is herein incorporated by reference into the City of Fitchburg General Ordinance, Chapter 72. The Stretch Code is enforceable by the inspector of buildings or building commissioner.

Report accepted. Petition granted by unanimous vote. 10
members present. Board consists of 11 members.
Petition forwarded to the City Solicitor for Ordinance
preparation.

HEARINGS

- 214-16. Mobilitie, LLC, to install backhaul transport equipment on a proposed utility pole in the right of way located north of the intersection of John Fitch Highway & Summer Street as outlined in the enclosed petition.



August 22, 2016

Department of Public Works-Engineering
301 Broad Street
Fitchburg, MA 01420
Phone: 978-829-1917

RE: Mobilitie LLC Grant of Location Petition Application: BS90XSI54A_9MAB001640, BS90XSI55A_9MAB001641

Dear Mr. Bevilacqua,

Please find the enclosed Mobilitie LLC petitions and orders for two (2) Grants of Location in your jurisdiction. Along with the attached petition and order, you will also find construction drawings and photos simulation for the facility. Mobilitie, LLC understands the application will not be approved until the committees, City Council, and any Public Improvement Commissions ("PIC") are in agreement.

Mobilitie, LLC is a public utility company regulated by the Massachusetts Department of Public Utilities to provide telephone related services, such as facilities based competitive local exchange and interexchange services. To meet the growing demand for connectivity, Mobilitie, LLC is deploying a hybrid transport network that provides high-speed, high-capacity bandwidth in order to facilitate the next generation of devices and data-driven services. This network can support a variety of technologies and services that require connectivity to the internet, including, but not limited to, driverless and connected vehicles (commercial, personal and agricultural), remote weather stations and mobile service providers. These transport utility poles and facilities are not dedicated to any particular customer, and, to the extent capacity on the structures is available, are available to be used by other entities, including the City of Fitchburg.

Mobilitie, LLC plans to construct the applied for pole attachment within the next 18 months and formally requests that the City identify a single point of contact to streamline the communications process, regarding the application, for the benefit of both parties. A local New England Permitting Manager will be following up with this Application Submission.

Mobilitie, LLC's hybrid transport network is an industry changing approach that seeks to improve backhaul connectivity for the City's residents. We are excited to work with the City of Fitchburg and are available to answer questions. Please do not hesitate to contact me at 205-394-9108 or jhendricks@mobilitie.com.

Thank you for your attention to this matter.

Respectfully submitted,

Joseph Hendricks
Network Real Estate Specialist

*Enclosures

Mobilitie, LLC
3475 Piedmont Road NE
Suite 1000
Atlanta GA 30305

FITCHBURG CITY CLERK
16 AUG 30 10 47

send notice
of hearing via email

Hearing
Petition #214-16
(cont)



August 22, 2016

Department of Public Works-Engineering
301 Broad Street
Fitchburg, MA 01420
Phone: 978-829-1917

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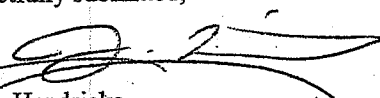
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Joseph Hendricks
Network Real Estate Specialist

*Enclosures

Mobilitie, LLC
3475 Piedmont Road NE
Suite 1000
Atlanta GA 30305

16 AUG 30 10 47

FITCHBURG CITY CLERK

send notice
of hearing via email

BS90XSI54A_9MAB001640

**PETITION FOR GRANT OF LOCATION FOR
NEW UTILITY POLE**

City of Fitchburg, Massachusetts
Department of Public Works

RESPECTFULLY REPRESENTS MOBILITE, LLC, (hereinafter known as the PETITIONER), that it desires to construct upon, along, under or across the public way(s) of the City of Fitchburg, wires, cables, poles, piers, abutments, conduits or fixtures.

WHEREFORE, the PETITIONER prays that, after due notice and public hearing as provided by law, the City of Fitchburg may by Order grant to the PETITIONER permission to construct, in accordance with plan(s), the following:

Petitioner proposes to install backhaul transport equipment on a proposed utility pole in the right of way located north of the intersection of JOHN FITCH HWY & SUMMER ST with electricity connection (Lat/Long: 42.572558, -71.777212). Location approximately as shown on plan attached as Exhibit "A."

The PETITIONER understands and agrees that:

1. PETITIONER shall locate and complete all work as specified and approved by the City.
2. PETITIONER shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction.
3. PETITIONER shall perform all work to the requirements and satisfaction of the Department of Public Works or other such officer(s) as may be hereafter appointed by the City.

For the PETITIONER:

MOBILITE, LLC

By: 

Joseph Hendricks, NRE Specialist

Date: 8/22/2016

10 10 16
FITCHBURG CITY CLERK

Hearing
Petition #214-16
(cont)

BS90XSI54A_9MAB001640

ORDER FOR GRANT OF LOCATION FOR
NEW UTILITY POLE

City of Fitchburg, Massachusetts
Department of Public Works

WHEREAS, MOBILITIE, LLC, (hereinafter known as the PETITIONER) has petitioned for permission to construct upon, along, under or across the public way(s) of the City of Fitchburg, the following:

Petitioner proposes to install backhaul transport equipment on a proposed utility pole in the right of way located north of the intersection of JOHN FITCH HWY & SUMMER ST with electricity connection (Lat/Long: 42.572558, -71.777212). Location approximately as shown on plan attached as Exhibit "A."

AND WHEREAS, notice has been given and a hearing held on said petition as provided by law; NOW THEREFORE BE IT ORDERED that the PETITIONER be and hereby is granted permission by the City of Fitchburg to complete the construction described above, all in accordance with the following conditions:

1. PETITIONER shall locate and complete all work as shown by plan(s) specified and approved by the Town, and as may have been amended by the City.
2. PETITIONER shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction.
3. PETITIONER shall perform all work to the requirements and satisfaction of the Department of Public Works or other such officer(s) as may be hereafter appointed by the City.

Approved by the City of Fitchburg on the _____ day of _____, 20____,

A True Record. Attest: _____ Date: _____
City Clerk

Certificate

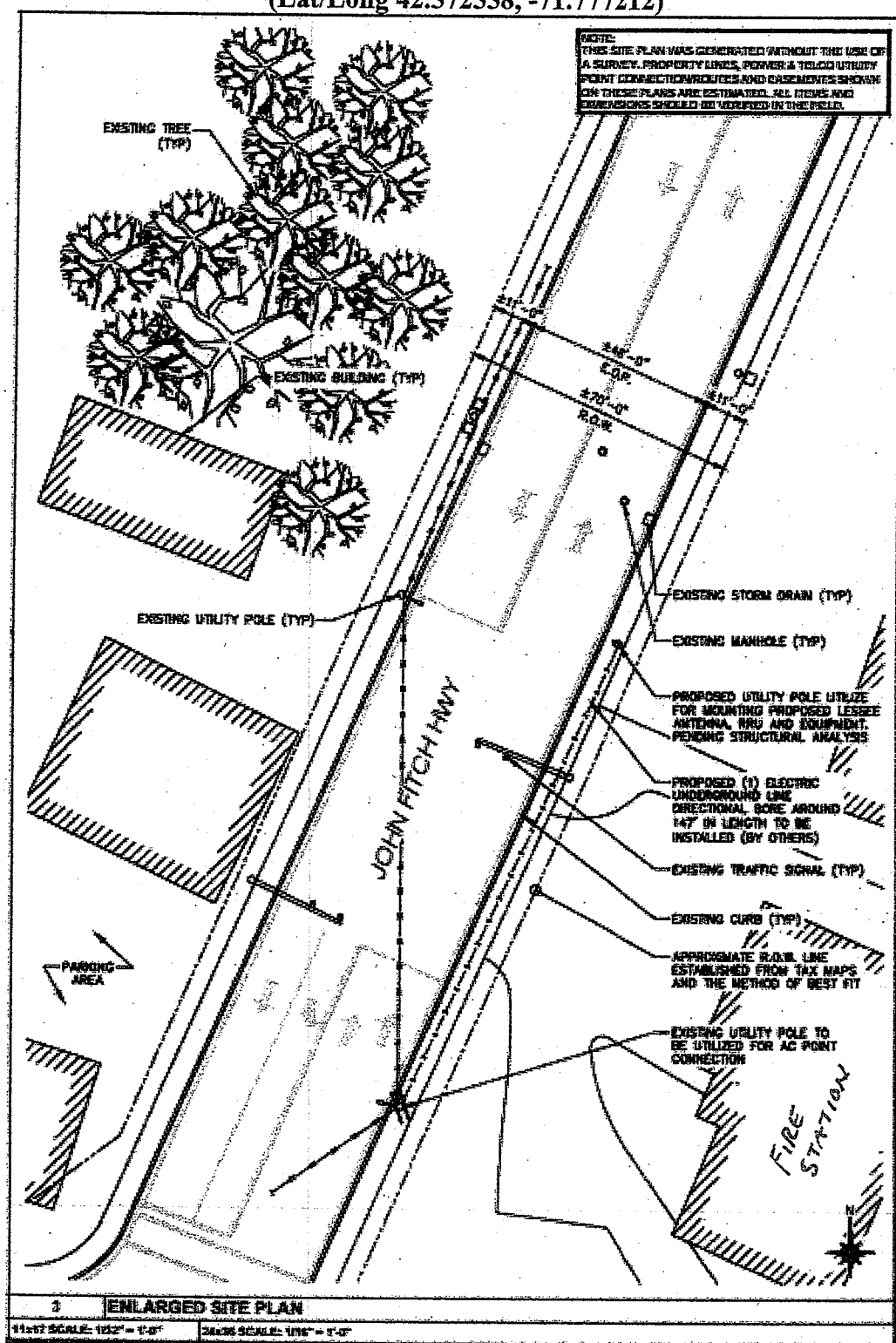
I hereby certify that the foregoing Order was adopted by the City of Fitchburg on the _____ day of _____, 20____. Received and entered in the records of Location Orders of the City of Fitchburg, in Book _____, Page _____.

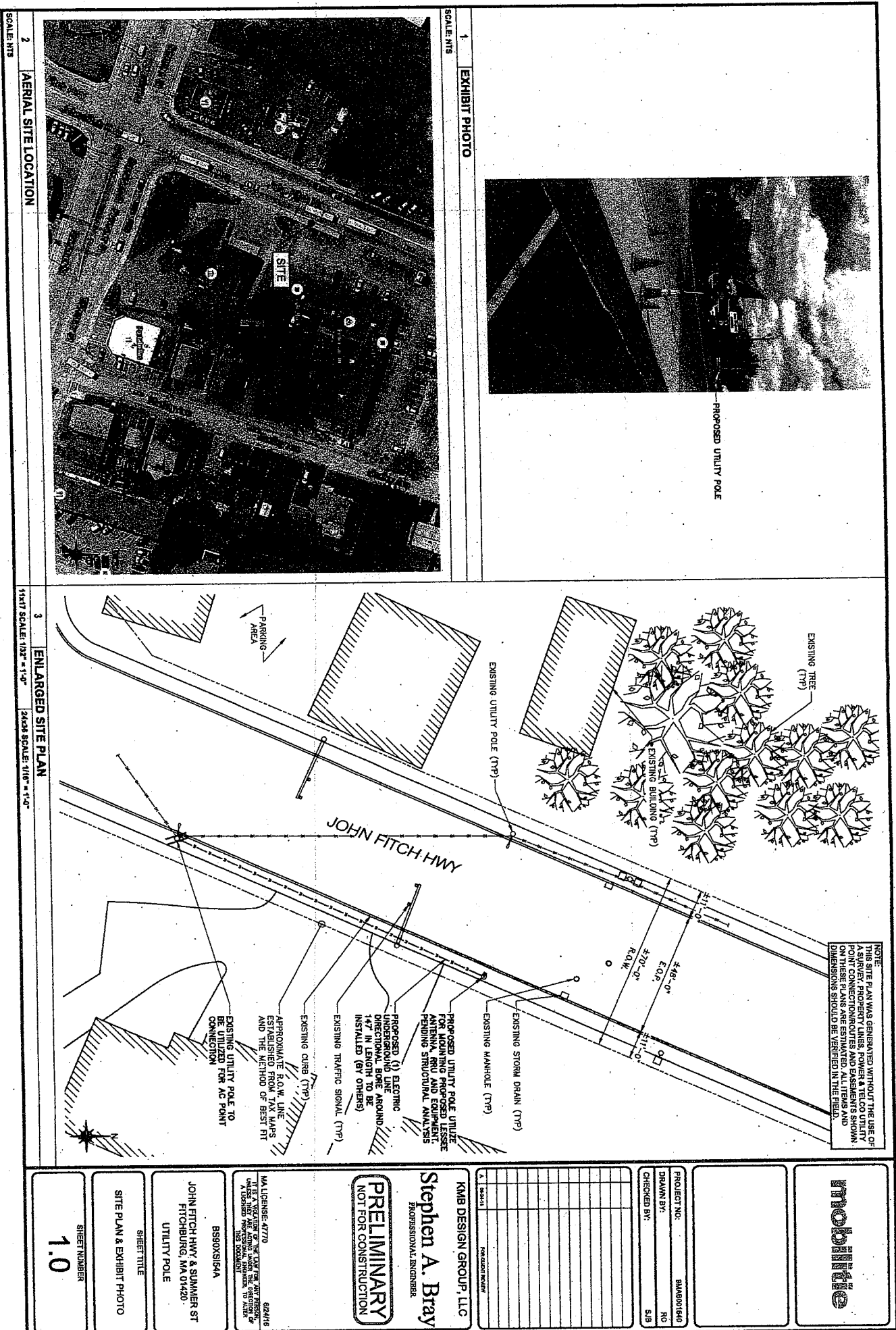
Certified. Attest: _____ Date: _____
City Clerk

BS90XSI54A_9MAB001640

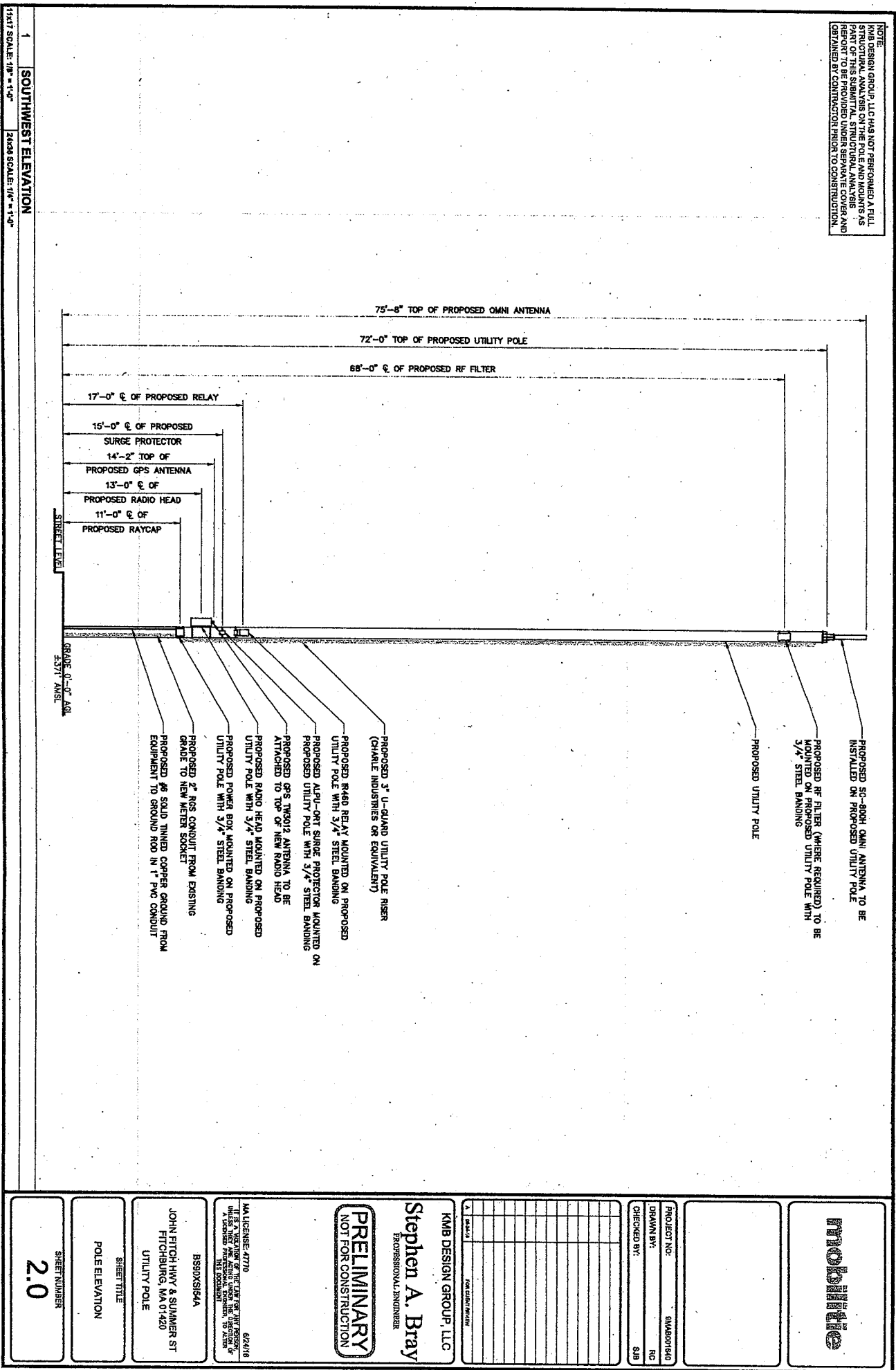
42°-34'-21.21"
71°-46'-37.96"

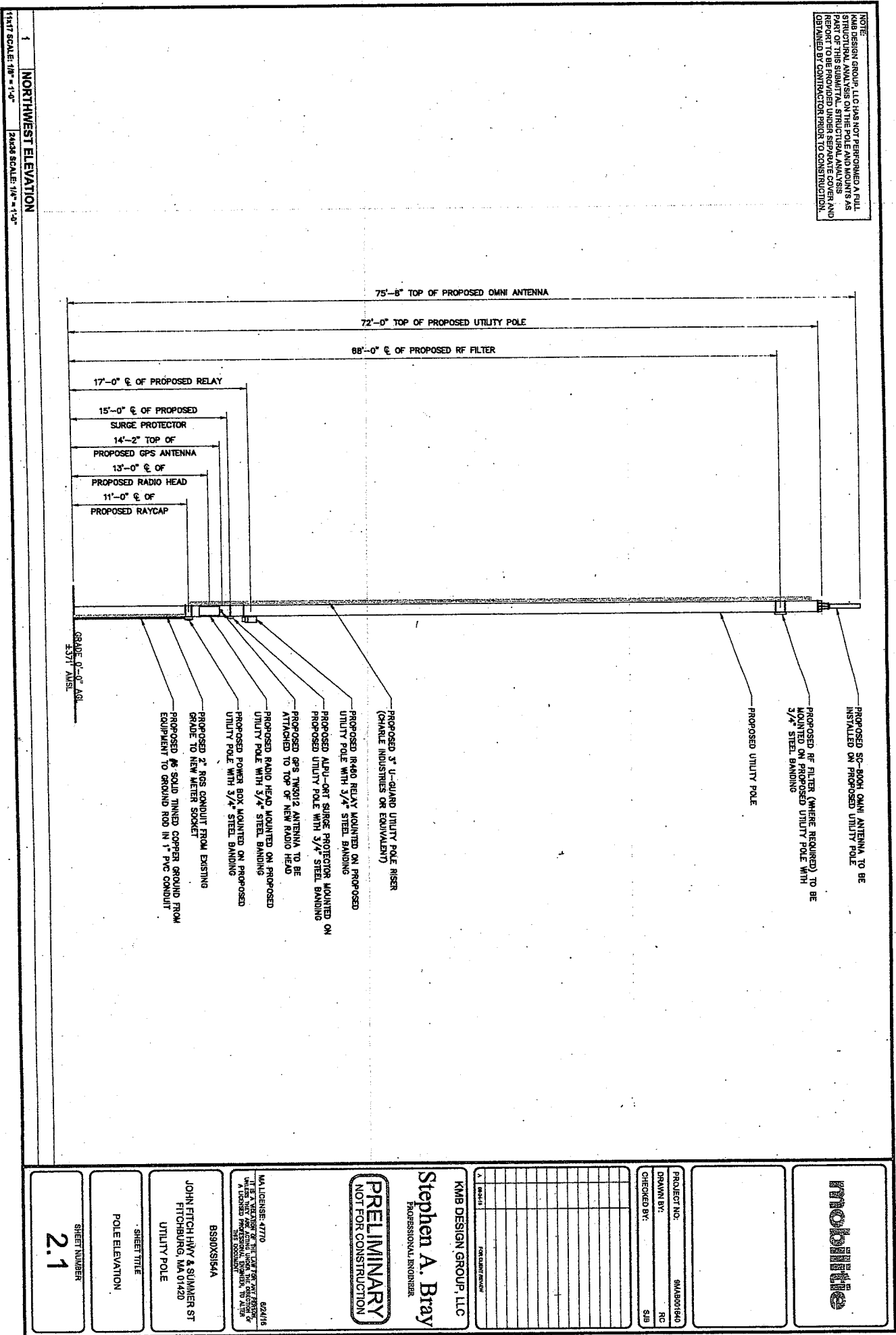
Exhibit A
Mobilitie # BS90XSI54A_9MAB001640
JOHN FITCH HWY & SUMMER ST, Fitchburg, MA
(Lat/Long 42.572558, -71.777212)





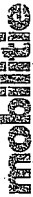
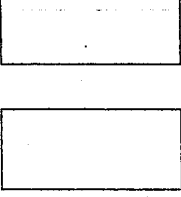



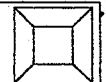



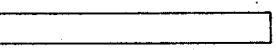


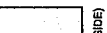
Hearing
Petition #214-16
(cont)

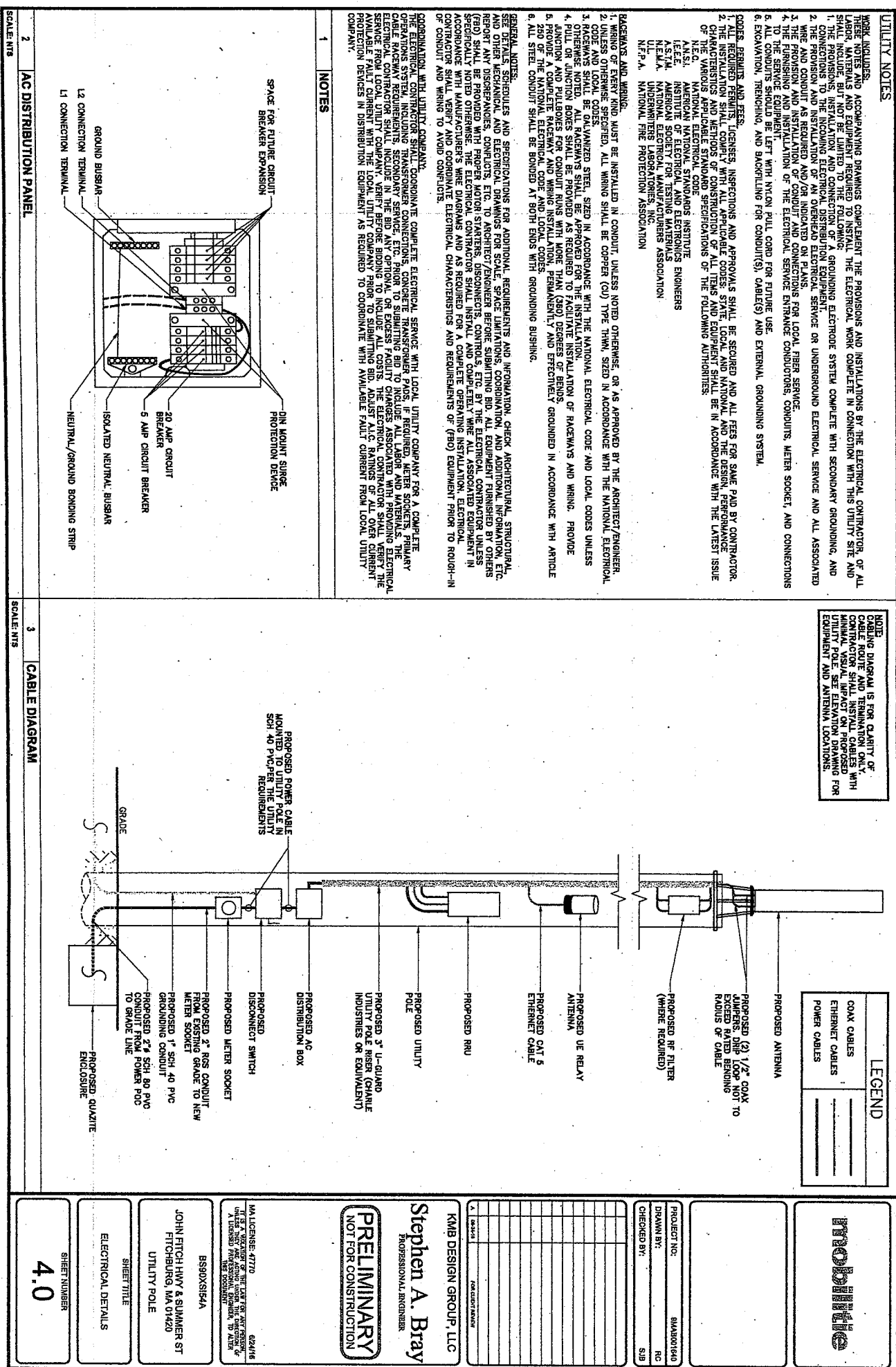




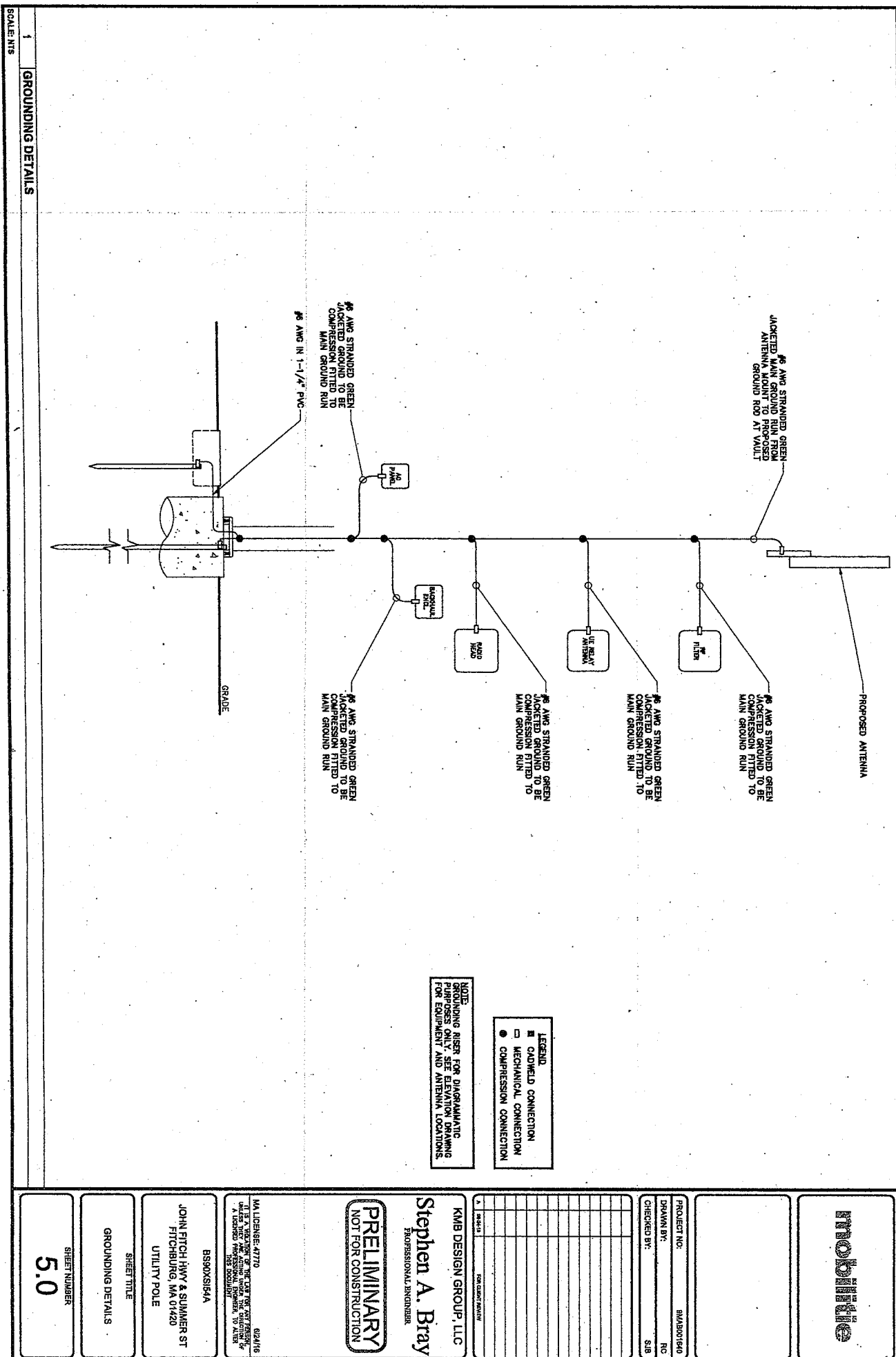
Hearing
Petition #214-16
(cont)

1		2		3	
EQUIPMENT CONNECTION DETAIL		ANTENNA MOUNTING DETAIL		CABLE ROUTING DETAIL	
SCALE: NTS		SCALE: NTS		SCALE: NTS	
<div><div></div><div><div>PROJECT NO: 8MAB01040</div><div>DRAWN BY: RG</div><div>CHECKED BY: SJS</div></div><div><div>FOR CADD REVIEW</div><div>DATE: 9/24/16</div></div><div><div>KIMB DESIGN GROUP, LLC</div><div>Stephen A. Bray</div><div>PROFESSIONAL ENGINEER</div></div><div><div>PRELIMINARY</div><div>NOT FOR CONSTRUCTION</div></div><div><div>MALICENISE: 41770</div><div>624/16</div><div>IF A MEMBER OF THE LAW OR ANY PERSON, FIRM OR CORPORATION, HAS BEEN ISSUED A LICENSE TO PRACTICE AS A PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT</div></div><div><div>BS90XS1644</div><div>JOHN FITCH LARRY & SUMNER ST</div><div>FITCHBURG, MA 01420</div><div>UTILITY POLE</div></div><div><div>SHEET TITLE</div><div>ANTENNA & EQUIPMENT MOUNTING DETAILS</div></div><div><div>SHEET NUMBER</div><div>3.0</div></div></div>					

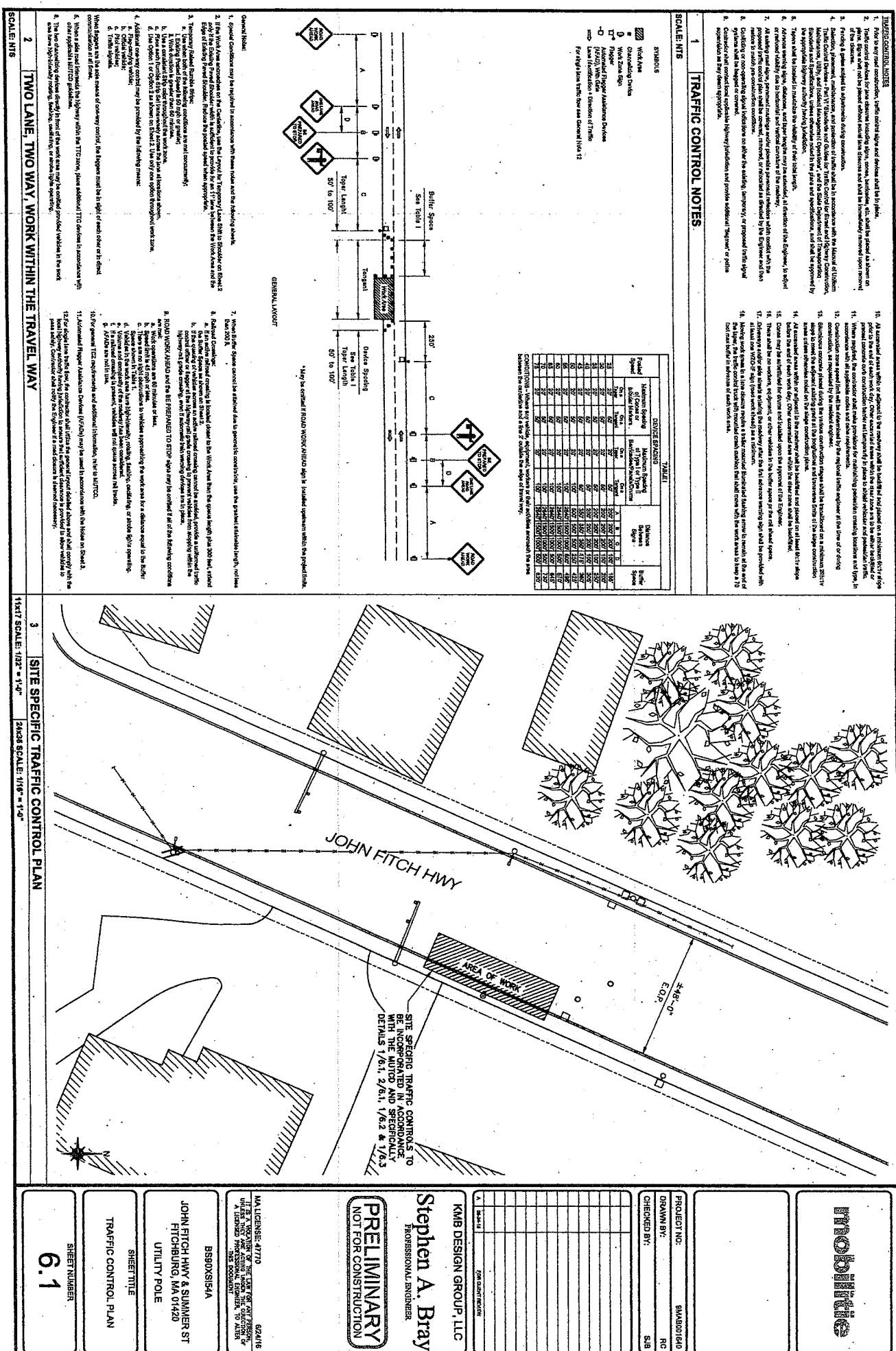
				PROJECT NO: 8HAB001640 DRAWN BY: RC CHECKED BY: SJB			
AH4000 RADIO HEAD 20.1" x 8.1" x 8.9" ±55.1 lbs		TW3012 GPS ANTENNA 0.8" x 2.25" ±0.3 lbs		RS7AC-3112-P-120 AC POWER PANEL 9.25" x 5.50" x 3.81		FINBW2593S-1C RF FILTER 13.6" x 8.1" x 24.57" 7 lbs	
 (FRONT)		 (SIDE)		 (FRONT)		 (SIDE)	
 (FRONT)		 (SIDE)		 (FRONT)		 (SIDE)	
SCALE: NTS		SCALE: NTS		SCALE: NTS		SCALE: NTS	
1 EQUIPMENT SPECIFICATIONS		2 EQUIPMENT SPECIFICATIONS		3 EQUIPMENT SPECIFICATIONS		4 EQUIPMENT SPECIFICATIONS	
SC-600 2.5 OMNI ANTENNA 35.2" x 4.7" 5.81 lbs		RELAY 40 RELAY ANTENNA 13.0" x 7.5" 48.9 lbs		ALPILORT SURGE PROTECTOR 6.1" x 4.5" x 2.5"			
 (FRONT)		 (SIDE)		 (FRONT)		 (SIDE)	
SCALE: NTS		SCALE: NTS		SCALE: NTS		SCALE: NTS	
5 ANTENNA SPECIFICATIONS		6 EQUIPMENT SPECIFICATIONS		7 EQUIPMENT SPECIFICATIONS			
BS90XS154A UTILITY POLE							
SHEET TITLE ANTENNA & EQUIPMENT SPECIFICATIONS							
SHEET NUMBER 3.1							
KMB DESIGN GROUP, LLC Stephen A. Bray PROFESSIONAL ENGINEER PRELIMINARY NOT FOR CONSTRUCTION							
MAL LICENSE: 4770 STATE: MA UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN INCHES AND DECIMALS THEREOF. A FURNISHED THIS PROJECT.							

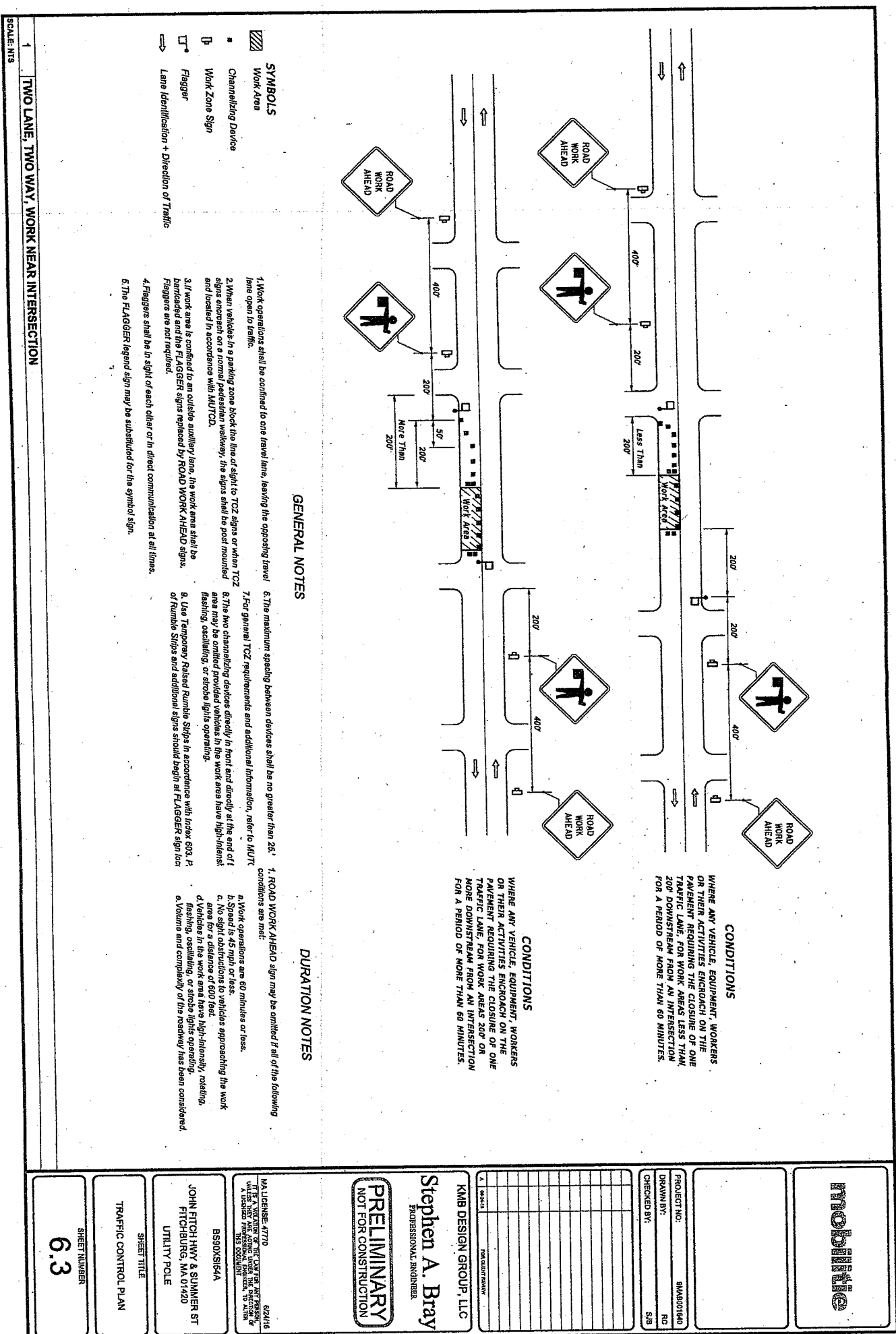


Hearing
Petition #214-16
(cont)



mobile		PROJECT NO: 9MAB001640 DRAWN BY: RC CHECKED BY: SJB				MALICIOUSLY 47770 6/24/18 <small>IT IS A VIOLATION OF THE LAW FOR ANY PERSON TO AFFIX OR REMOVE THIS SIGN FROM A LICENSED PROFESSIONAL ENGINEER'S DESIGN WITHOUT HIS PERMISSION.</small> BSSXKSI64A JOHN FITCH HWY & SUMMER ST FITCHBURG, MA 01420 UTILITY POLE SHEET TITLE EQUIPMENT & SAFETY LABELS SHEET NUMBER 6.0
<p style="text-align: center;">RF / POWER DISCONNECT INSIDE</p> <p style="text-align: center;">NOTE: REF POWER DISCONNECT SIGN TO BE PLACED ON OUTSIDE DOOR OF AO DISTRIBUTION BOX.</p> <p style="text-align: center;">INTERSTATE TRANSPORT AND BROADBAND In case of emergency contact: EMAIL: NOC@TTEUTILITY.COM PHONE: (877) 244-7889 SITE ID: 9MAB001640</p> <p style="text-align: right;">OWNER / OPERATOR NOTE: THIS LABEL MUST BE AFFIXED WITH TZA8041 LABELING TAPE OR EQUIVALENT SITE ID LABEL TO BE AFFIXED WITH TZA8041 LABELING TAPE OF AT LEAST 1.8mm WIDTH WITH EXTRA-STRENGTH ADHESIVE. USE ANY COMPATIBLE P-TOUCH LABEL MAKER. TEXT SHOULD BE PRINTED IN ALL CAPS WITH A MINIMUM HEIGHT OF 1/2".</p>						
<p style="text-align: center;">NOTICE</p> <p style="text-align: center;">Stay Back Radio-frequency energy may exceed exposure limits. If questions, contact facility owner.</p> <p style="text-align: right;">ANTENNA SIGNAGE: ON WOOD POLES - SIGN ON ALUMINUM WITH SS SCREW TO THE POLE ON METAL POLES - ADHESIVE VINYL OR PLACARD STRAPPED WITH SS TIES ON CONCRETE / COMPOSITE - PLACARD STRAPPED WITH SS TIES SIGN PLACEMENT: AFFIX TO THE STRUCTURE 3'-4' BELOW THE COMMERCIAL RF ANTENNA(S) SIZE APPROX. 8" x 5.5"</p>						
1 RF NOTICE SIGN DETAIL		2 RF POWER DISCONNECT SIGN		3 POLE OWNER SIGN DETAIL		
SCALE: NTS		SCALE: NTS		SCALE: NTS		





[illegible]

ELECTRICAL

1. CONTRACTOR SHALL REVIEW THE CONTRACT DOCUMENTS PRIOR TO ORDERING THE MATERIALS AND EQUIPMENT TO BE USED IN THE ACTUAL CONSTRUCTION. CONTRACTOR SHALL ISSUE A WRITTEN NOTICE OF STATING THE ACTUAL CONSTRUCTION CONTRACTOR SHALL DISCREPANCIES OR CONFLICTING INFORMATION.
2. ELECTRICAL PLANS, DETAILS AND DIAGRAMS ARE DISCREPANCY ONLY, "EXACT" EXACT TO INDICATE, AND MOUNTING HEIGHTS OR ELECTRICAL EQUIPMENT WITH OWNER PRIORITY TO INDICATE.
3. EACH CONDUCTOR OF EVERY SYSTEM SHALL BE PERMANENTLY TAGGED IN EACH PANELBOARD, PULLBOX, JUNCTION BOX, SWITCH BOX, ETC. THE TYPE OF TAGGING METHODS SHALL BE IN COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH REQUIREMENTS.
4. ALL MATERIALS AND EQUIPMENT SHALL BE NEW AND IN GOOD WORKING CONDITION WHEN INSTALLED AND SHALL BE OF THE BEST GRADE AND OF THE SAME MANUFACTURER THROUGHOUT FOR EACH CLASS OR GROUP OF EQUIPMENT. MATERIALS SHALL BE LISTED BY THE MANUFACTURER. MATERIALS SHALL MEET WITH APPROVAL OF ALL GOVERNING BODIES HAVING JURISDICTION. MATERIALS SHALL BE IDENTIFIED IN ACCORDANCE WITH APPLICABLE STANDARDS ESTABLISHED BY ANSI, NEMA, NIBBY AND UL LISTED.
5. ALL CONDUIT SHALL HAVE A PULL CORO.
6. PROVIDE PROJECT MANAGER WITH ONE SET OF COMPLETE ELECTRICAL, "AS INSTALLED" AND GROUNDING.
7. ALL CIRCUIT BREAKERS, FUSES AND ELECTRICAL EQUIPMENT SHALL HAVE AN INTERRUPTING SHORT CIRCUIT CURRENT TO WHICH THEY MAY BE SUBJECTED AND A RATING OF THE EQUIPMENT.
8. THE ENTIRE ELECTRICAL INSTALLATION SHALL BE ORIGINATED AS REQUIRED BY IBC, NEMA AND ALL APPLICABLE CODES.
9. PATCH, REPAIR AND PAINT ANY AREA THAT HAS BEEN DAMAGED IN THE COURSE OF THE ELECTRICAL INSTALLATION.
10. PLASTIC PLATES FOR ALL SWITCHES, RECEPTACLES, TELEPHONE AND BLANKED OUTLETS SHALL HAVE ENGRAVED LETTERING WHEN INDICATED ON THE PLANS.
11. WEATHERPROOF RECEPTACLES SHALL HAVE TERRA MARCA - 8 LIFT COVERPLATES.

SERVICE AND DISTRIBUTION

1. WIRE AND CABLE CONDUCTORS SHALL BE COPPER, 600V, TYPE THHN OR THWN, WITH A MIN. SIZE OF #12 AWG, COLOR CODED.
2. METER SOCKET AMPERES, VOLTAGE, NUMBER OF PHASES SHALL BE NOTED ON THE DRAWINGS. MANUFACTURED BY MILBANK OR APPROVED EQUAL, AND SHALL BE UTILITY COMPANY APPROVED.
3. CONDUIT:

- A. RIGID CONDUIT SHALL BE UL LABEL GALVANIZED ZINC COATED WITH GALVANIZED SLABS IN CONTACT SHALL BE USED WHEN INSTALLED ON OR UNDER CONCRETE WALLS OR EXPOSED ON BUILDING EXTERIOR. RIGID CONDUIT IN CONTACT WITH EARTH SHALL BE 1/2 LAPPED WATERPROOF WITH JOINTS WRAP PROCESS NO. 3.
- B. FLEXIBLE METALLIC CONDUIT SHALL HAVE UL LISTED LABEL AND MAY BE USED FOR FLEXIBLE CONDUIT SPOOL. FITTINGS SHALL BE CLAMP OR "SOLEZEE" TYPE. ALL CONTRACTORS TO NOTIFY B11 OR OTHER SUCH UTILITY LOCATING AGENCY 3 DAYS BEFORE BEGINNING.
- C. CABLES TO DISCONNECT WITH UTILITY COMPANY FOR CONNECTION OF TEMPORARY AND PERMANENT POWER TO THE SITE. THE TELL-TAUNT POWER AND ALL HOOKUP COSTS ARE TO BE BY THE CONTRACTOR.
- D. ALL ELECTRICAL EQUIPMENT SHALL BE LABELED WITH PERMANENT ENGRAVED PLASTIC LABELS WITH WHITE ON BLUE BACKGROUND LETTING MINIMUM LETTER HEIGHT SHALL BE 1/8". (DO NOT USE A-1). NAMEPLATES SHALL BE FASTENED WITH STAINLESS STEEL SCREWS.
- E. UPON COMPLETION OF WORK, CONTINUITY SHORT CIRCUIT, AND FALL POTENTIAL GROUNDING TESTS BY AN INDEPENDENT TESTING SERVICE ENGAGED BY THE CONTRACTOR SHALL BE SUBMITTED FOR APPROVAL. SUBMIT TEST REPORTS TO PROJECT MANAGER. COMPLETE AND UNMARRIED RECORD DRAWINGS RESULTING FROM WORK AND LEAVE WORK IN A CLEAN CONDITION.
- F. PREPARATION

- [illegible]

- C. GROUND RODS: ALL GROUND RODS SHALL BE 5/8-INCH DIAMETER X 10'-0" LONG. COPPERWELD, OR APPROVED EQUAL, OF THE NUMBER AND LOCATION UNDISBURSTED EARTH RODS SHALL BE DRIVEN FULL LENGTH VERTICAL IN GROUND.
- D. GROUND CONDUCTORS: ALL GROUND CONDUCTORS SHALL BE STANDARD TINNED SOFT BARE COPPER ANNEALED, AND OF SIZE INDICATED ON DRAWINGS UNLESS OTHERWISE NOTED.
- E. LUGS
1. LUGS SHALL BE 2-INCH, LONG BARREL, STRAIN AND COPPER UNLESS OTHERWISE SPECIFIED IN THE CONTRACT DOCUMENTS. LUGS SHALL BE THOMAS AND BETTS SERIES #4, OR BE ON EQUIVALENT
- A. 536 MCN DLO
B. 262 MCN DLO
C. 140 THIN
D. #4.0 THIN
E. #2.0 THIN
F. #2.0 THIN
G. #4.0 DLO
- AND BARE
- 54602BE
54602BE
54602BE
54602BE
54602BE
54602BE
54602BE
- 54603BE
- WHEN THE DIRECTION OF THE CONDUCTOR MUST CHANGE, IT SHALL BE DONE GRADUALLY. THE CURVATURE OF THE TURN SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING CHART:
- GROUNDING CONDUCTOR SIZE
- NO. 5 AWG TO NO. 4 AWG
NO. 2 AWG TO NO. 1/0 AWG
NO. 3/0 AWG TO NO. 4/0 AWG
250 MCM TO 750 MCM
- MINIMUM BENDING RADIUS FOR INSULATED EDGE
- 8 INCHES
8 INCHES
12 INCHES
24 INCHES

POLES, POSTS, AND STANDARDS
(SINGLE MAST AND SELF SUPPORTING TOWERS)

1. GENERAL.
 - A. LIGHTNING ROD AND EXTENSION PIPE INCLUDING ALL APPURTENANCES, TO BE FURNISHED BY OWNER, IF REQUIRED.
 - B. GROUNDING- GROUND METAL POLES WITH A MINIMUM OF #2 AWG TINNED SOLID BARE COPPER CONDUCTOR CABLED TO TOWER BASE PLATE.

TELECOMMUNICATIONS WIRING COMPONENTS
(COAXIAL ANTENNA CABLE)

1. GENERAL.
- A. ALL MATERIALS, PRODUCTS OR PROCEDURES INCORPORATED INTO WORK SHALL BE NEW AND OF STANDARD COMMERCIAL QUALITY.
- B. ALL MATERIALS AND PRODUCTS SPECIFIED IN THE CONTRACT DOCUMENTS SHALL BE SUPPLIED BY THE CONTRACTOR UNLESS NOTED OTHERWISE.
2. MATERIALS:

- A. INSTALL COAXIAL CABLE, CABLE AND TERMINATIONS BETWEEN ANTENNAS AND EQUIPMENT PER MANUFACTURER'S RECOMMENDATIONS WITH COAXIAL CABLES SUPPLIED AT NO MORE THAN 3'-0" O.C. WEATHERPROOF ALL CONNECTORS.
- B. USE ANOTHER CABLE TYPE OR EQUIPMENT PER MANUFACTURER'S REQUIREMENTS. TERMINATE EXCESS CABLE LENGTHS (5') IN EXCESS LENGTHS LESS THAN OR EQUAL TO 100 FEET SHALL BE 7/8".
3. ANTENNA AND COAXIAL CABLE GROUNDING
 - A. COAXIAL CABLE GROUNDING KITS ARE TO BE INSTALLED ON STRAIGHT RUNS OF COAXIAL CABLE IDENTIFICATION WITHIN BUDGET.
 - B. TO PROVIDE EASY IDENTIFICATION AND UNIFORM MARKING OF ANTENNA CABLEING, PLASTIC TAPE SHALL BE USED AT THE END OF THE COAX NEAREST THE ANTENNA (WHERE THE COAX IS AT AN END OF THE COAX NEAREST THE EQUIPMENT).
 - C. SECOND LOCATION IS AT END OF THE COAX NEAREST THE EQUIPMENT.
4. COAXIAL CABLE IDENTIFICATION
 - A. TESTING: LESSER SHALL PROVIDE AN INDEPENDENT TESTING AGENCY TO PERFORM THE COAXIAL SHEET TEST & REPORT. THE CONTRACTOR IS TO WEATHERPROOFING ONCE THE TESTING IS COMPLETED.
 - B. USE ANOTHER CABLE TEST (P.F. 27290) TO SECURE IDENTIFICATION TAGS TO EQUIPMENT.
 - C. TESTING: LESSER SHALL PROVIDE AN INDEPENDENT TESTING AGENCY TO WEATHERPROOFING ONCE THE TESTING IS COMPLETED.
 - D. PROVIDE SHEET WITH A MINIMUM OF 48 HOURS NOTICE PRIOR TO THE TIME OF THE SHEEP TEST.

mod

PROJECT NO:	9MA001640
DRAWN BY:	RC
CHECKED BY:	SJB

KMB DESIGN GROUP, LLC

Stephen A. Bray
PROFESSIONAL ENGINEER

PRELIMINARY
NOT FOR CONSTRUCTION

MA LICENSE: 47770 6/24/16

JOHN FITCH HWY & SUMMER ST
FITCHBURG, MA 01420

SHEET TITLE

GENERAL NOTES

SHEET NUMBER
GN-2

Hearing
Petition #215-16

215-16. Mobilitie, LLC, to install backhaul transport equipment on a proposed utility pole in the right of way located south of the intersection of Whalon Street & Pierce Avenue as outlined in the enclosed petition.

BS90XSI55A_9MAB001641

**PETITION FOR GRANT OF LOCATION FOR
NEW UTILITY POLE**

City of Fitchburg, Massachusetts
Department of Public Works

RESPECTFULLY REPRESENTS MOBILITIE, LLC, (hereinafter known as the PETITIONER), that it desires to construct upon, along, under or across the public way(s) of the City of Fitchburg, wires, cables, poles, piers, abutments, conduits or fixtures.

WHEREFORE, the PETITIONER prays that, after due notice and public hearing as provided by law, the City of Fitchburg may by Order grant to the PETITIONER permission to construct, in accordance with plan(s), the following:

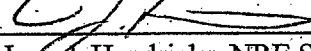
Petitioner proposes to install backhaul transport equipment on a proposed utility pole in the right of way located south of the intersection of WHALON ST & PIERCE AVE with electricity connection (Lat/Long: 42.553431, -71.784218). Location approximately as shown on plan attached as Exhibit "A."

The PETITIONER understands and agrees that:

1. PETITIONER shall locate and complete all work as specified and approved by the City.
2. PETITIONER shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction.
3. PETITIONER shall perform all work to the requirements and satisfaction of the Department of Public Works or other such officer(s) as may be hereafter appointed by the City.

For the PETITIONER:

MOBILITIE, LLC

By: 
Joseph Hendricks, NRE Specialist

Date: 8/22/2016

19 AUG 30 10 47
FITCHBURG CITY CLERK

BS90XSI55A _ 9MAB001641

**ORDER FOR GRANT OF LOCATION FOR
NEW UTILITY POLE**

City of Fitchburg, Massachusetts
Department of Public Works

WHEREAS, MOBILITIE, LLC, (hereinafter known as the PETITIONER) has petitioned for permission to construct upon, along, under or across the public way(s) of the City of Fitchburg, the following:

Petitioner proposes to install backhaul transport equipment on a proposed utility pole in the right of way located south of the intersection of WHALON ST & PIERCE AVE with electricity connection (Lat/Long: 42.553431, -71.784218). Location approximately as shown on plan attached as Exhibit "A."

AND WHEREAS, notice has been given and a hearing held on said petition as provided by law; NOW THEREFORE BE IT ORDERED that the PETITIONER be and hereby is granted permission by the City of Fitchburg to complete the construction described above, all in accordance with the following conditions:

1. PETITIONER shall locate and complete all work as shown by plan(s) specified and approved by the Town, and as may have been amended by the City.
2. PETITIONER shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction.
3. PETITIONER shall perform all work to the requirements and satisfaction of the Department of Public Works or other such officer(s) as may be hereafter appointed by the City.

Approved by the City of Fitchburg on the _____ day of _____, 20____,

A True Record. Attest: _____ Date: _____
City Clerk

Certificate

I hereby certify that the foregoing Order was adopted by the City of Fitchburg on the _____ day of _____, 20____. Received and entered in the records of Location Orders of the City of Fitchburg, in Book _____, Page _____.

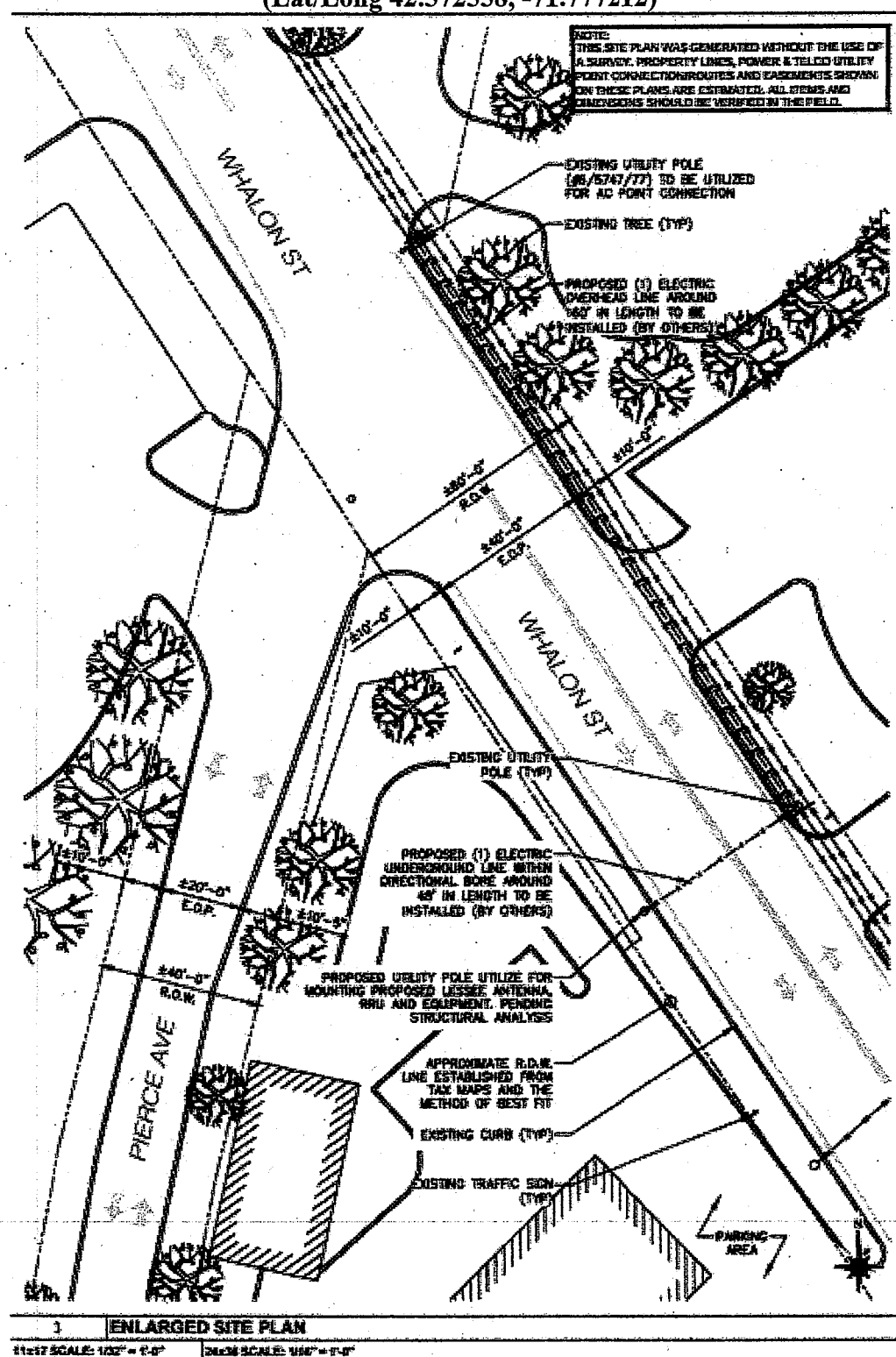
Certified. Attest: _____ Date: _____
City Clerk

Hearing
Petition #215-16
(cont)

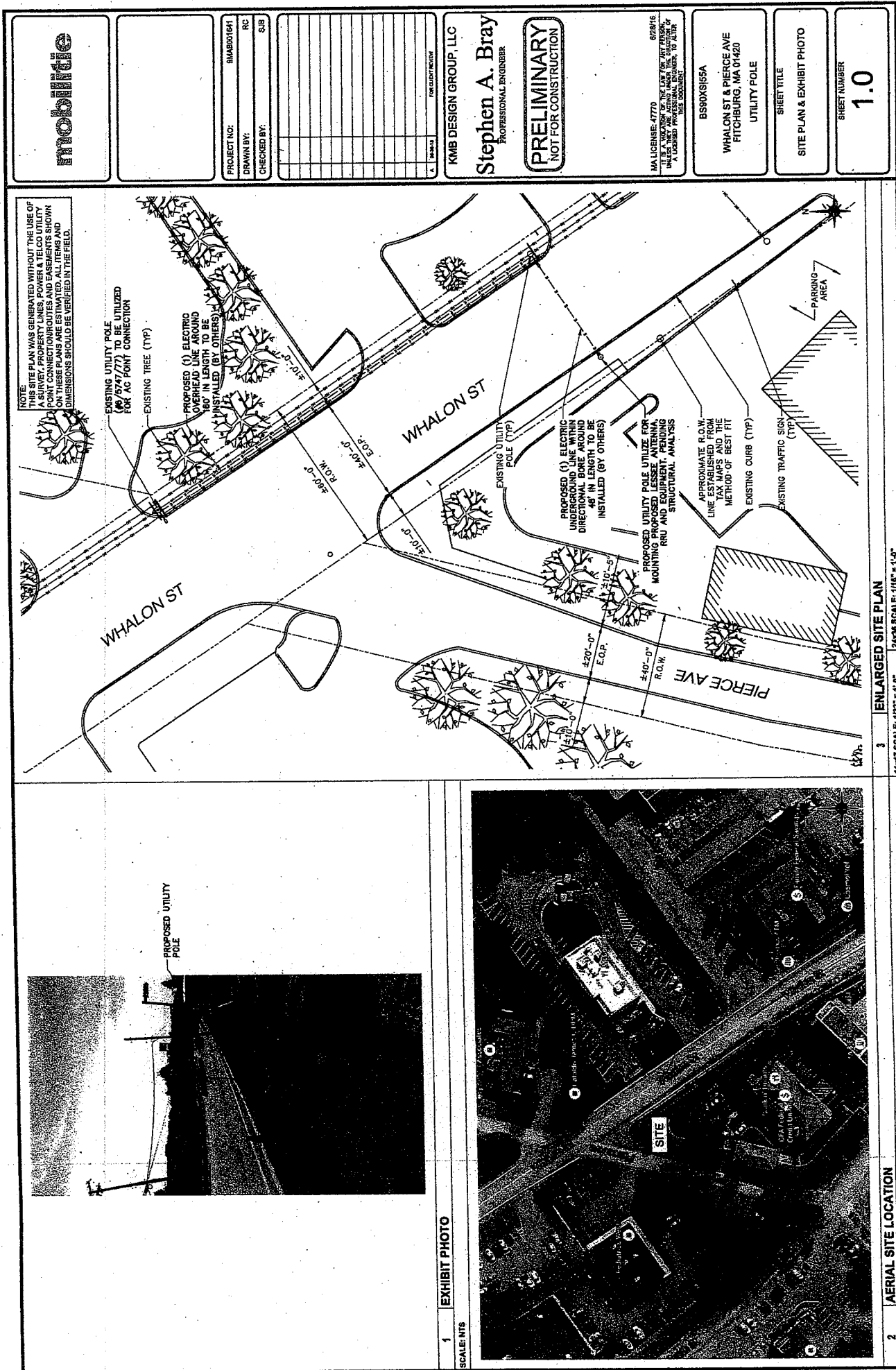
BS90XSI55A_9MAB001641

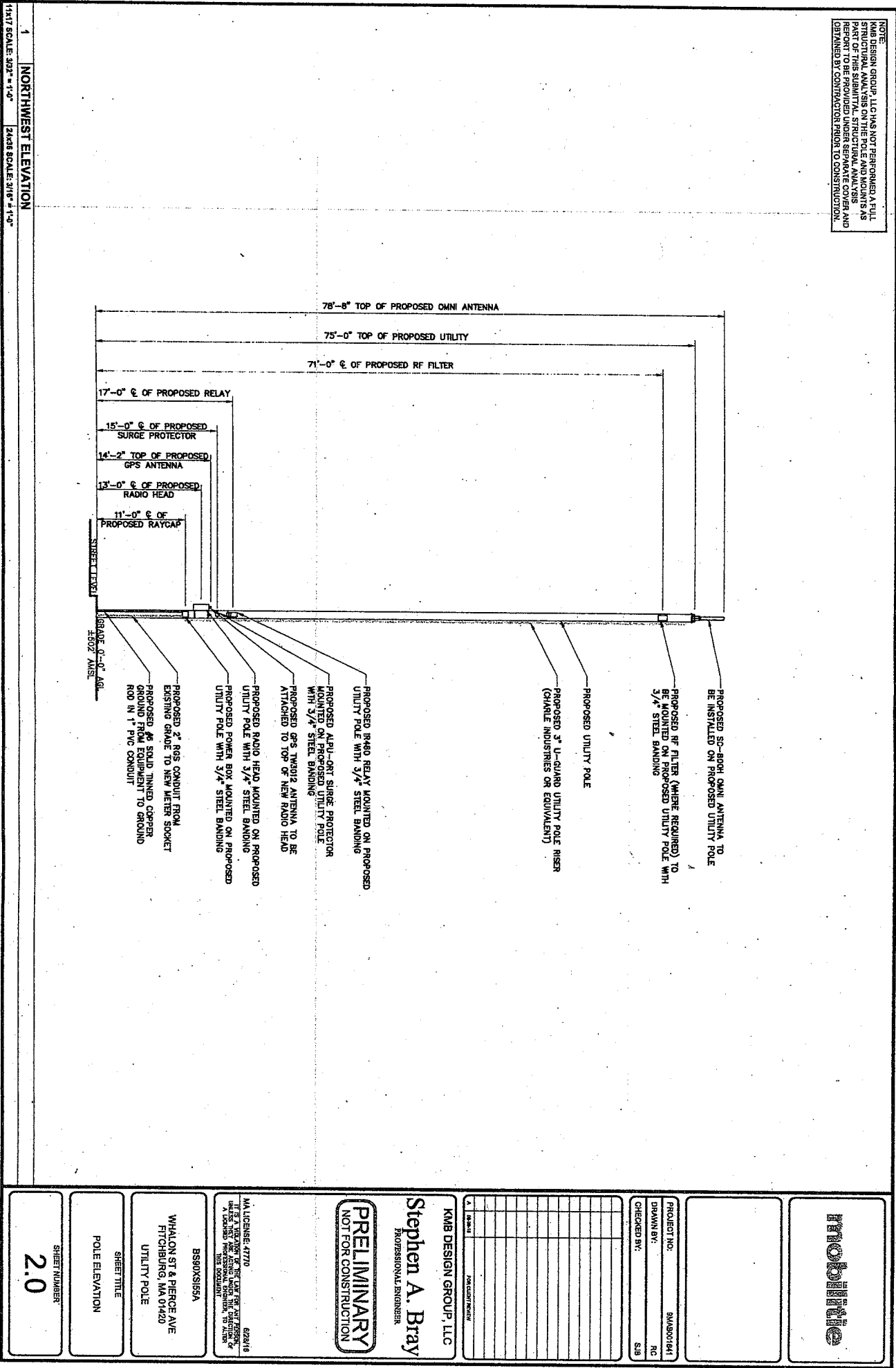
Exhibit A

Mobilitie # BS90XSI55A_9MAB001641
WHALON ST & PIERCE AVE, Fitchburg, MA
(Lat/Long 42.572558, -71.777212)

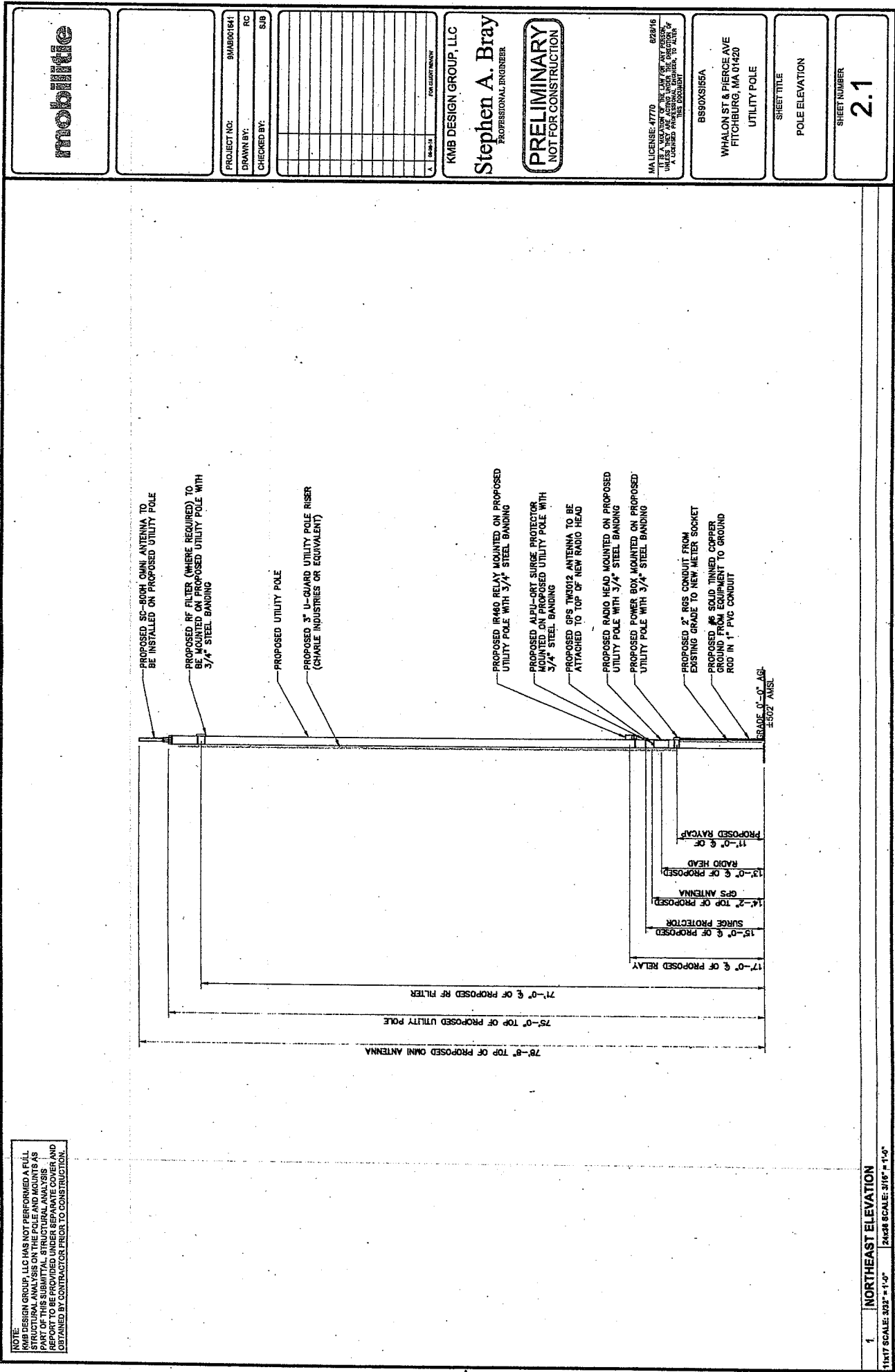


Hearing
Petition #215-16
(cont)





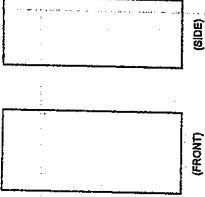
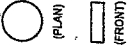
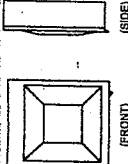



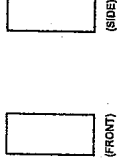
Hearing
Petition #215-16
(cont)



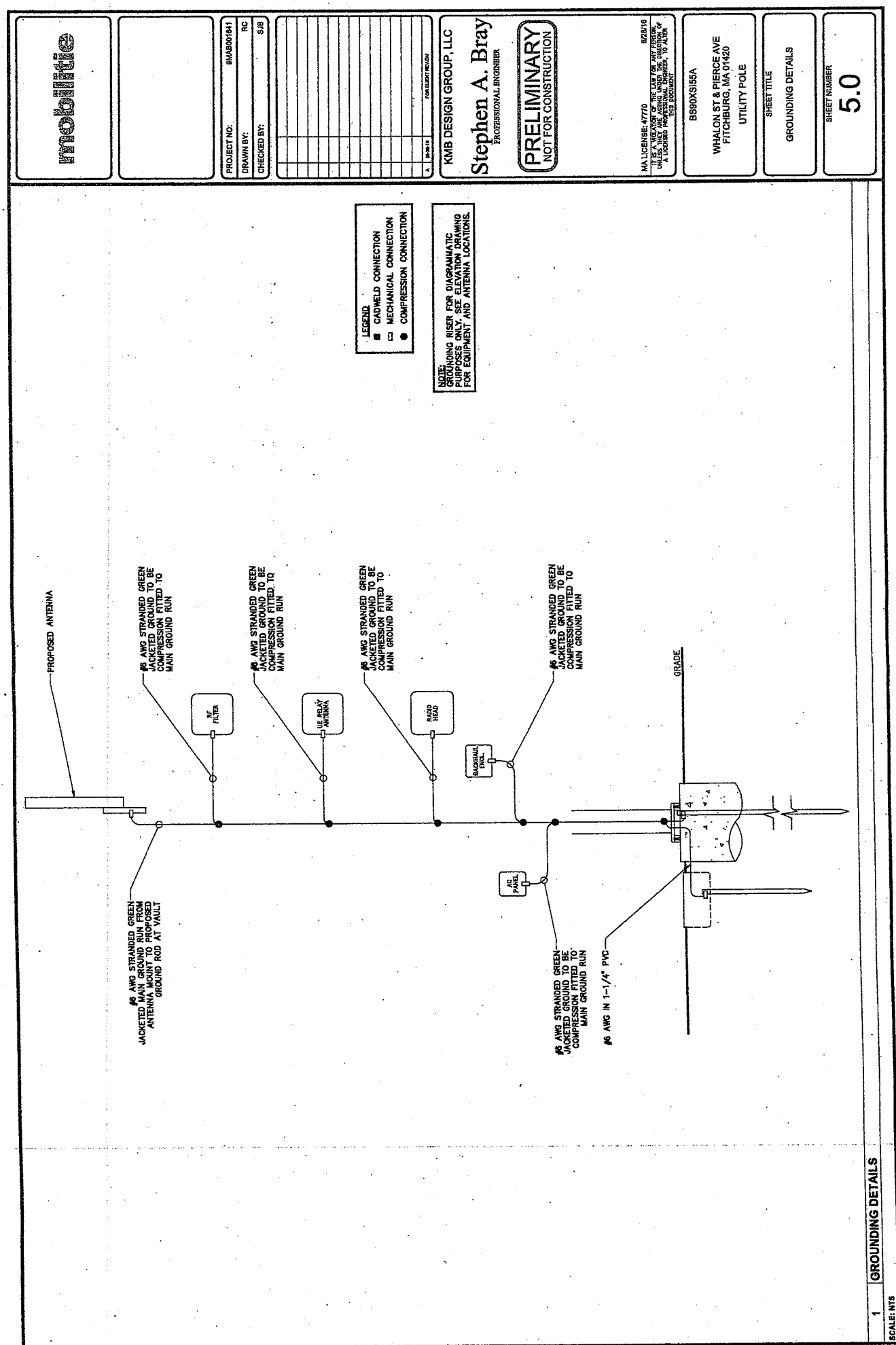
1 EQUIPMENT CONNECTION DETAIL SCALE: NTS		2 ANTENNA MOUNTING DETAIL SCALE: NTS	
3 CABLE ROUTING DETAIL SCALE: NTS			

PROJECT NO: PM16001841	
DRAWN BY: RJC	
CHECKED BY: SJB	
DATE: 9/20/16	
SHEET NUMBER	
3.0	
SHEET TITLE	
ANTENNA & EQUIPMENT MOUNTING DETAILS	
BS990XS155A	
WHALON ST & PIERCE AVE FITCHBURG, MA 01420	
UTILITY POLE	
MA LICENSE #1770	
622816	
THIS IS A PRELIMINARY DESIGN. THE DESIGNER'S OFFICE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND A LICENSED PROFESSIONAL ENGINEER'S SIGNATURE.	
PRELIMINARY NOT FOR CONSTRUCTION	
Stephen A. Bray PROFESSIONAL ENGINEER	
KMB DESIGN GROUP, LLC	

Hearing
Petition #215-16
(cont)

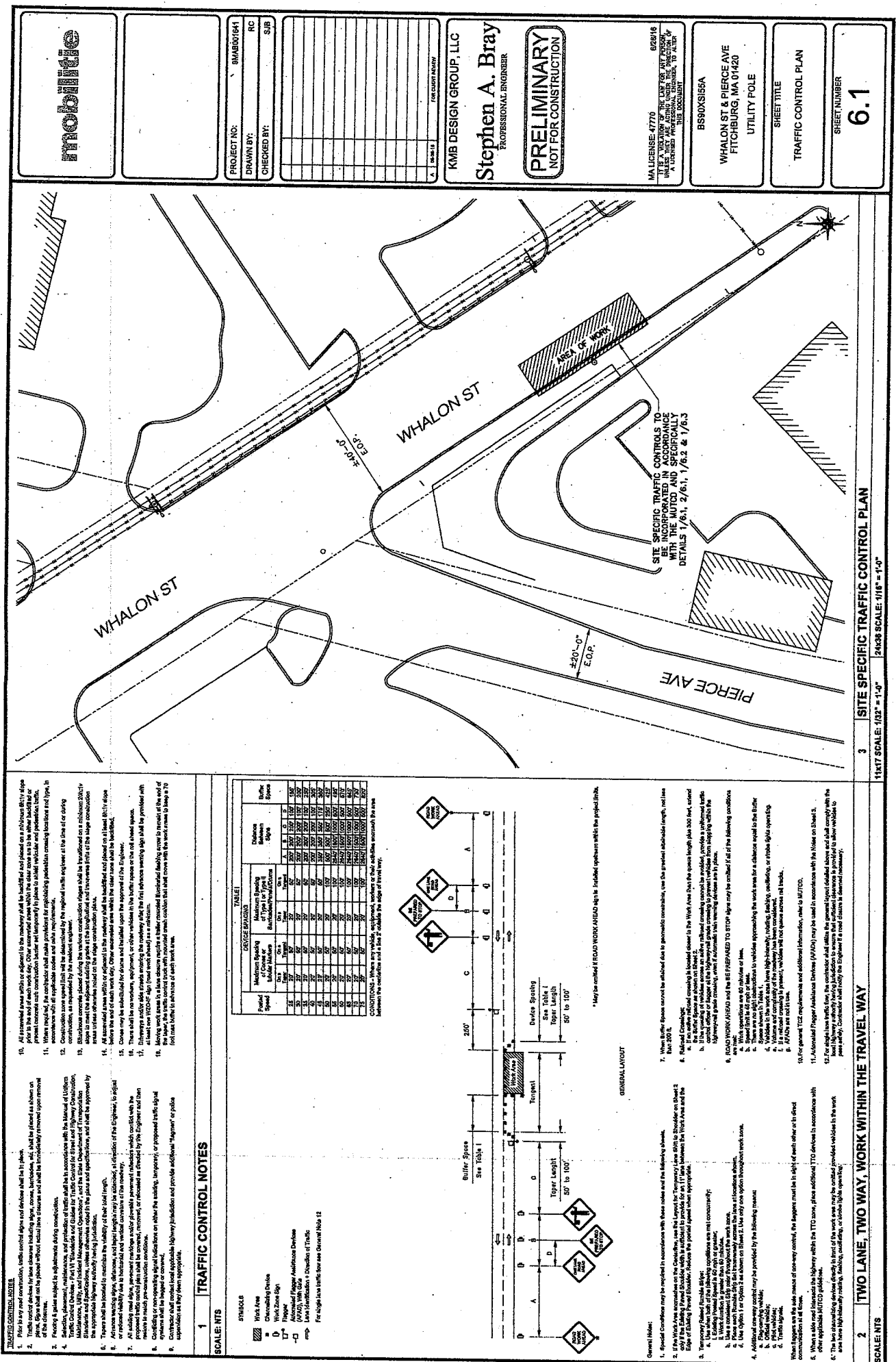
<div>mobile</div>		<div>PROJECT NO: 04MB00184 DRAWN BY: RC CHECKED BY: SJR</div>		<div>MA LICENSE 4770 6/28/16 I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT AND THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MASSACHUSETTS.</div>		<div>BS90XS15A WHALON ST & PIERCE AVE FITCHBURG, MA 01420 UTILITY POLE</div>		<div>SHEET TITLE ANTENNA & EQUIPMENT SPECIFICATIONS</div>		<div>SHEET NUMBER 3.1</div>	
<div>1 SCALE: NTS EQUIPMENT SPECIFICATIONS</div>		<div>2 SCALE: NTS EQUIPMENT SPECIFICATIONS</div>		<div>3 SCALE: NTS EQUIPMENT SPECIFICATIONS</div>		<div>4 SCALE: NTS EQUIPMENT SPECIFICATIONS</div>					
<div>AH400 RADIO HEAD 20.1" x 8.1" x 8.9", 455.1 lbs </div>		<div>TH912 GPS ANTENNA 0.8" x 2.5" x 1.3", 10.3 lbs </div>		<div>RSTAC312P-120 GPS ANTENNA 9.25" x 8.50" x 3.81" </div>		<div>FMBW2593S-1C RF FILTER 13.6" x 8.1" x 2.4", 2.7 lbs </div>					
<div>5 SCALE: NTS ANTENNA SPECIFICATIONS</div>		<div>6 SCALE: NTS EQUIPMENT SPECIFICATIONS</div>		<div>7 SCALE: NTS EQUIPMENT SPECIFICATIONS</div>							
<div>SC-800 2.5 OMNI ANTENNA 35.4" x 4.7" x 21", 21 lbs </div>		<div>IRELAY 480 BACKHAUL ANTENNA 13.0" x 7.9" x 48.8 lbs </div>		<div>APILORT SURGE PROTECTOR 6.1" x 4.5" x 2.5" </div>							

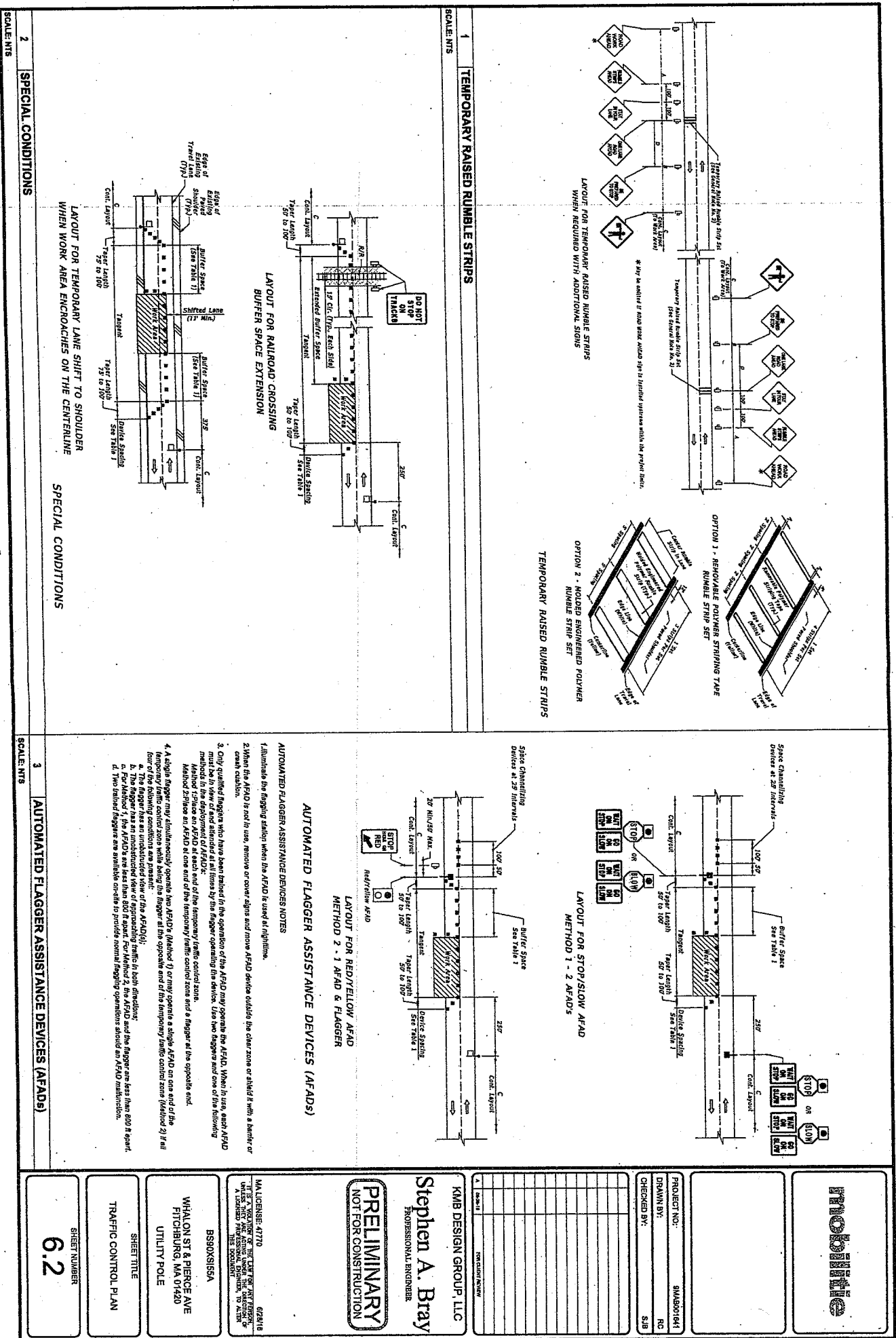
Hearing
Petition #215-16
(cont)



<div>1 RF NOTICE SIGN DETAIL SCALE: NTS</div> <div><div>5.5"</div><div><div>NOTICE</div><div><div>Stay Back</div><div>Radio-frequency energy may exceed exposure limits. If questions, contact facility owner.</div></div></div></div>		<div>3 POLE OWNER SIGN DETAIL SCALE: NTS</div> <div><div>5"</div><div><div>INTERSTATE TRANSPORT AND BROADBAND</div><div>In case of emergency contact: EMAIL: NOC@FITCHBUTILITY.COM PHONE: (877) 244-7889 SITE ID: 9MAB001641</div></div></div>	
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Hearing
Petition #215-16
(cont)







[illegible]

Hearing opened. Mr. James George, New England Permitting Manager for Mobilitie, LLC was present. Mr. George explained that Mobilitie, LLC, as a utility company, wishes to place two new poles in Fitchburg to provide expanded wireless connection. He stated that the poles would be constructed and maintained by his company and that the City of Fitchburg would receive \$1500 annually per pole. He stated that Mobilitie, LLC has approximately 100 poles nationwide and that these in Fitchburg, if approved, would be the first in Massachusetts. After some discussion and a variety of questions pertaining to the placement and specifications of the proposed poles, the following vote was taken:

By unanimous vote, public hearing was continued to October 4, 2016 with both petitions to be sent to the Public Works Committee, the Airport Commission and the City Solicitor for review and comment.

10 members present. Board consists of 11 members.

ORDERS-FINANCE

Orders-Finance

The following Orders were referred to the Finance Committee:

- 226-16. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Federal Emergency Management Agency (FEMA) administered through MEMA, for the Community Emergency Response Team (CERT), in the approximate amount of \$4,676, for the purposes of said grant.
- 227-16. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Conservation and Recreation, for the Recreational Trails Program Grant, in the approximate amount of \$49,995, for the purposes of said grant.
- 228-16. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Transportation under its Statewide Complete Streets Program, for the Complete Streets Prioritization, Tier 2 Grant, in the approximate amount of \$49,989.13, for the purposes of said grant.

ORDERS-OTHER

Orders-Other



CALVIN D. BROOKS
Treasurer

City of Fitchburg

OFFICE OF THE TREASURER

166 Boulder Drive
Fitchburg, MA 01420

978-829-1830
FAX 978-829-1971

September 15, 2016

16 SEP 15 09 38
FITCHBURG CITY CLERK

Mayor Stephen L. DiNatale and
Members of the City Council
166 Boulder Drive
Fitchburg, MA 01420

Re: Side Yard Sales

Dear Mayor and Councilors:

The Side Yard Sales Committee has voted to recommend the sale of the following eight properties to the owners of abutting property:

0 Murkland Street	Parcel 11-1-C
185 Water Street	Parcel 69-9-0
29 Spring Street	Parcel 31-25-0
25 First Street	Parcel 69-40-0
125 Clarendon Street	Parcel 76-124-0
7 Hale Street	Parcel 82-114-0
0 Ohio Avenue	Parcel 101-31-A
0 Electric Avenue	Parcel 185-35-0

Attached are the orders to sell each parcel and to authorize the mayor to execute each deed of conveyance. For your reference, a draft deed is attached to each order.

On behalf of the Side Yard Sales Committee, I ask for your approval of these orders.

Thank you for your consideration.

Sincerely,

Calvin D. Brooks
Treasurer

Enc.

Orders-Other (cont)

229-16. ORDERED: That the City of Fitchburg sell through the Side Yard Sales Committee: 0 Murkland Street.

City of Fitchburg

FITCHBURG CITY CLERK

In City Council, 16 SEP 15 09 38

ORDERED:— That

WHEREAS, in the opinion of the City Council of Fitchburg, the City is the owner of a certain parcel of land located on Murkland Street, Assessors' Map 11, Block 1, Lot C, and

WHEREAS, the City of Fitchburg no longer has any use for the aforesaid parcel and the purchasers, David R. Muse and Natalia S. Muse of 27 Nutting Street, Fitchburg, MA 01420, have a particular use for same, and

WHEREAS, the Fitchburg City Council in petition #235-15, approved by City Council on December 15, 2015, referred said parcel to the Side Yard Sales Committee for sale under the City's Side Yard Sales program,

NOW, THEREFORE, IT IS ORDERED that, in consideration of the payment of less than One Hundred Dollars, to be paid to the City Treasurer plus cost of recording and a pro forma tax as required by Chapter 44, Section 63A, the City of Fitchburg sell the above described parcel of land to said purchasers through the City's Side Yard Sales Program, subject to the restriction that said parcel shall not constitute a separate lot, but shall be held in common with other adjoining land of the grantee, and

IT IS FURTHER ORDERED AND VOTED that Stephen L. DiNatale, Mayor of the City of Fitchburg, be and is hereby authorized for and on behalf of said City to execute, acknowledge, and deliver said deed of conveyance.

Return to:
David R. Muse
27 Nutting Street
Fitchburg, MA 01420

RELEASE DEED

THE CITY OF FITCHBURG, a Commonwealth of Massachusetts municipality having its usual place of business at 166 Boulder Drive, Fitchburg, Massachusetts 01420

In consideration of less than one hundred and 00/100 (\$100.00) dollars paid

Grant to **DAVID R. MUSE and NATALIA S. MUSE**, husband and wife as tenants by the entirety of 27 Nutting Street, Fitchburg, MA 01420

All its right, title and interest in and to the following described premises:

Murkland Street

A certain tract of land located on the westerly side of Murkland Street, Fitchburg, Worcester County, Commonwealth of Massachusetts and being shown as **Lot No. 50** on plan of land entitled "Plan of building lots owned and for sale by E. T. Miles, A. P. Kimball and J. W. Kimball situated on Park Hill, Fitchburg", prepared by George Raymond, Surveyor, Scale 1 inch = 100 feet, dated February 21, 1870 and recorded May 17, 1870 in Worcester South District Registry of Deeds Book 806, Page 653 and also recorded in Worcester Northern District Registry of Deeds **Plan Book 18, Plan 10**.

For Grantor's title, see the following recorded instruments:

- i. Instrument of Taking by the City of Fitchburg against Leo H. Xarras, dated April 1, 1997 and recorded April 14, 1997 in Worcester Northern District Registry of Deeds Book 2992, Page 125.
- ii. Low Value Affidavit by the Treasurer of the City of Fitchburg, dated January 16, 2007 and recorded July 10, 2007 in Worcester Northern District Registry of Deeds Book 6510, Page 245.
- iii. Treasurer's Deed from the Treasurer of the City of Fitchburg to the City of Fitchburg, dated December 16, 2009 and recorded December 23, 2009 in Worcester Northern District Registry of Deeds Book 7096, Page 181.

This conveyance is made subject to the following provisions and conditions of the City of Fitchburg Side Yard Sales Program:

1. The premises are sold "as is", in its present condition
2. The Grantor makes no representations or warranties of any kind as to the suitability of the premises for any particular purpose, or as to the applicability or effect of any local, state or federal law.
3. The Grantor makes no representations or warranties as to whether the premises contain any substance which may be classified as a hazardous, toxic, chemical or radioactive substance or a contaminant or pollutant under applicable federal, state or local law, statute, ordinance, rule or regulation, or which may require any cleanup, remediation or other corrective action pursuant to such applicable laws.

MARGINAL REFERENCE: BOOK 4422, PAGE 32

Murkland Street, Fitchburg, MA

Orders-Other (cont)

Return to:
David R. Muse
27 Nutting Street
Fitchburg, MA 01420

4. The premises shall be kept free of garbage and debris.
5. The premises shall be combined for purposes of future conveyances with the abutting property owned by the Grantees, located at 27 Nutting Street, Fitchburg, Massachusetts and described in a Quitclaim Deed from Ronald G. Gaudet to David R. Muse and Natalia S. Muse, dated November 18, 2002 and recorded November 18, 2002 in Worcester Northern District Registry of Deeds **Book 4422, Page 32**, such that the premises shall henceforth be conveyed in conjunction with the abutting lot and into the same record ownership establishing a merger of title.
6. These provisions, conditions and restrictions shall run with the land and be enforceable against the Grantees, their successors and assigns by the City of Fitchburg.

The Grantor warrants that it has received from the Grantees an affidavit executed pursuant to Massachusetts General Laws, Chapter 60, Section 77B and the statutory payment in lieu of taxes pursuant to Massachusetts General Laws, Chapter 44, Section 63A.

This instrument is executed pursuant to a vote taken by the City of Fitchburg City Council and attached herewith as Exhibit "A".

Executed as a sealed instrument this ____ day of September, 2016.

Stephen L. DiNatale, Mayor
City of Fitchburg

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this ____ day of September, 2016, before me, the undersigned Notary Public, personally appeared **Stephen L. DiNatale**, proved to me through satisfactory evidence of identification, which is being personally known to me be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Mayor of the City of Fitchburg.

Seal

My commission expires: _____

MARGINAL REFERENCE: BOOK 4422, PAGE 32

230-16. ORDERED: That the City of Fitchburg sell through the Side Yard Sales Committee: 185 Water Street.

City of Fitchburg

FITCHBURG CITY CLERK

In City Council, 16 SEP 15 09 38

ORDERED:— That

WHEREAS, in the opinion of the City Council of Fitchburg, the City is the owner of a certain parcel of land located on 185 Water Street, Assessors' Map 69, Block 9, Lot 0, and

WHEREAS, the City of Fitchburg no longer has any use for the aforesaid parcel and the purchasers, Antonio Rivera and Francisco Rivera of 193 Water Street, Fitchburg, MA 01420, have a particular use for same, and

WHEREAS, the Fitchburg City Council in petition #235-15, approved by City Council on December 15, 2015, referred said parcel to the Side Yard Sales Committee for sale under the City's Side Yard Sales program,

NOW, THEREFORE, IT IS ORDERED that, in consideration of the payment of less than One Hundred Dollars, to be paid to the City Treasurer plus cost of recording and a pro forma tax as required by Chapter 44, Section 63A, the City of Fitchburg sell the above described parcel of land to said purchasers through the City's Side Yard Sales Program, subject to the restriction that said parcel shall not constitute a separate lot, but shall be held in common with other adjoining land of the grantee, and

IT IS FURTHER ORDERED AND VOTED that Stephen L. DiNatale, Mayor of the City of Fitchburg, be and is hereby authorized for and on behalf of said City to execute, acknowledge, and deliver said deed of conveyance.

Orders-Other (cont)

Return to:
Antonio Rivera
193 Water Street
Fitchburg, MA 01420

RELEASE DEED

THE CITY OF FITCHBURG, a Commonwealth of Massachusetts municipality having its usual place of business at 166 Boulder Drive, Fitchburg, Massachusetts 01420

In consideration of less than one hundred and 00/100 (\$100.00) dollars paid

Grant to **ANTONIO RIVERA and FRANCISCO RIVERA** as joint tenants of 193 Water Street, Fitchburg, MA 01420

All its right, title and interest in and to the following described premises:

185 Water Street

A certain tract of land located on the southwesterly side of Water Street and southerly side of Walnut Street, Fitchburg, Worcester County, Commonwealth of Massachusetts and being all of the Grantor's right, title and interest acquired from the following recorded instrument:

- i. Instrument of Taking by the City of Fitchburg against Vautour Enterprises, Inc., dated April 1, 1997 and recorded April 14, 1997 in Worcester Northern District Registry of Deeds Book 2992, Page 109.

For Grantor's title, see the following recorded instruments:

- i. Affidavit of Low Value by the City of Fitchburg, dated January 16, 2007 and recorded July 10, 2007 in Worcester Northern District Registry of Deeds Book 6510, Page 193.
- ii. Treasurers Deed from the City of Fitchburg to the City of Fitchburg, dated December 16, 2009 and recorded December 23, 2009 in Worcester Northern District Registry of Deeds Book 7096, Page 183.

This conveyance is made subject to the following provisions and conditions of the City of Fitchburg Side Yard Sales Program:

1. The premises are sold "as is", in its present condition
2. The Grantor makes no representations or warranties of any kind as to the suitability of the premises for any particular purpose, or as to the applicability or effect of any local, state or federal law.
3. The Grantor makes no representations or warranties as to whether the premises contain any substance which may be classified as a hazardous, toxic, chemical or radioactive substance or a contaminant or pollutant under applicable federal, state or local law, statute, ordinance, rule or regulation, or which may require any cleanup, remediation or other corrective action pursuant to such applicable laws.
4. The premises shall be kept free of garbage and debris.

MARGINAL REFERENCE: BOOK 7984, PAGE 123

185 Water Street, Fitchburg, MA

Return to:
Antonio Rivera
193 Water Street
Fitchburg, MA 01420

5. The premises shall be combined for purposes of future conveyances with the abutting property owned by the Grantees, located at 193 Water Street, Fitchburg, Massachusetts and described in a Quitclaim Deed from Frank Viola and Vincenzo Viola, Trustees of The Rosaria Viola Realty Trust to Antonio Rivera and Francisco Rivera, dated August 23, 2013 and recorded August 23, 2013 in Worcester Northern District Registry of Deeds **Book 7984, Page 123**, such that the premises shall henceforth be conveyed in conjunction with the abutting lot and into the same record ownership establishing a merger of title.
6. These provisions, conditions and restrictions shall run with the land and be enforceable against the Grantees, their successors and assigns by the City of Fitchburg.

The Grantor warrants that it has received from the Grantees an affidavit executed pursuant to Massachusetts General Laws, Chapter 60, Section 77B and the statutory payment in lieu of taxes pursuant to Massachusetts General Laws, Chapter 44, Section 63A.

This instrument is executed pursuant to a vote taken by the City of Fitchburg City Council and attached herewith as Exhibit "A".

Executed as a sealed instrument this ____ day of September, 2016.

Stephen L. DiNatale, Mayor
City of Fitchburg

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this ____ day of September, 2016, before me, the undersigned Notary Public, personally appeared **Stephen L. DiNatale**, proved to me through satisfactory evidence of identification, which is being personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Mayor of the City of Fitchburg.

Seal

_____, Notary Public

My commission expires: _____

MARGINAL REFERENCE: BOOK 7984, PAGE 123

Orders-Other (cont)

231-16. ORDERED: That the City of Fitchburg sell through the Side Yard Sales Committee: 29 Spring Street.

City of Fitchburg

FITCHBURG CITY CLERK

In City Council, 16 SEP 15 09 39

ORDERED:— That

WHEREAS, in the opinion of the City Council of Fitchburg, the City is the owner of a certain parcel of land located on 29 Spring Street, Assessors' Map 31, Block 25, Lot 0, and

WHEREAS, the City of Fitchburg no longer has any use for the aforesaid parcel and the purchasers, Thomas J. Whitney and Carrie Whitney of 3 Taft Street, Fitchburg, MA 01420, have a particular use for same, and

WHEREAS, the Fitchburg City Council in petition #237-15, approved by City Council on December 15, 2015, referred said parcel to the Side Yard Sales Committee for sale under the City's Side Yard Sales program,

NOW, THEREFORE, IT IS ORDERED that, in consideration of the payment of less than One Hundred Dollars, to be paid to the City Treasurer plus cost of recording and a pro forma tax as required by Chapter 44, Section 63A, the City of Fitchburg sell the above described parcel of land to said purchasers through the City's Side Yard Sales Program, subject to the restriction that said parcel shall not constitute a separate lot, but shall be held in common with other adjoining land of the grantee, and

IT IS FURTHER ORDERED AND VOTED that Stephen L. DiNatale, Mayor of the City of Fitchburg, be and is hereby authorized for and on behalf of said City to execute, acknowledge, and deliver said deed of conveyance.

Return to:
Thomas J. Whitney
3 Taft Street
Fitchburg, MA 01420

RELEASE DEED

THE CITY OF FITCHBURG, a Commonwealth of Massachusetts municipality having its usual place of business at 166 Boulder Drive, Fitchburg, Massachusetts 01420

In consideration of less than one hundred and 00/100 (\$100.00) dollars paid

Grant to **THOMAS J. WHITNEY and CARRIE WHITNEY**, husband and wife as tenants by the entirety of 3 Taft Street, Fitchburg, MA 01420

All its right, title and interest in and to the following described premises:

29 Spring Street

A certain tract of land located on the easterly side of Spring Street and Taft Street and northerly side of Peabody Place, a/k/a Peabody Passway, Fitchburg, Worcester County, Commonwealth of Massachusetts and being all of the Grantor's right, title and interest acquired from the following recorded instrument:

- i. Instrument of Taking by the City of Fitchburg against Anthony J. Poirier, dated November 26, 1997 and recorded December 23, 1997 in Worcester Northern District Registry of Deeds Book 3108, Page 207.

For Grantor's title, see the following recorded instruments:

- i. Affidavit of Low Value by the City of Fitchburg, dated September 5, 2014 and recorded August 14, 2015 in Worcester Northern District Registry of Deeds Book 8385, Page 347.
- ii. Treasurers Deed from the City of Fitchburg to the City of Fitchburg, dated September 30, 2015 and recorded October 30, 2015 in Worcester Northern District Registry of Deeds Book 8437, Page 233.

This conveyance is made subject to the following provisions and conditions of the City of Fitchburg Side Yard Sales Program:

1. The premises are sold "as is", in its present condition
2. The Grantor makes no representations or warranties of any kind as to the suitability of the premises for any particular purpose, or as to the applicability or effect of any local, state or federal law.
3. The Grantor makes no representations or warranties as to whether the premises contain any substance which may be classified as a hazardous, toxic, chemical or radioactive substance or a contaminant or pollutant under applicable federal, state or local law, statute, ordinance, rule or regulation, or which may require any cleanup, remediation or other corrective action pursuant to such applicable laws.
4. The premises shall be kept free of garbage and debris.

MARGINAL REFERENCE: BOOK 1178, PAGE 582

29 Spring Street, Fitchburg, MA

Orders-Other (cont)

Return to:
Thomas J. Whitney
3 Taft Street
Fitchburg, MA 01420

5. The premises shall be combined for purposes of future conveyances with the abutting property owned by the Grantees, located at 3 Taft Street, Fitchburg, Massachusetts and described in a Quitclaim Deed from Alice M. LaRose, David A. LaRose and Albert A. LaRose to Thomas J. Whitney and Carrie Whitney, dated May 4, 1977 and recorded May 4, 1977 in Worcester Northern District Registry of Deeds **Book 1178, Page 582**, such that the premises shall henceforth be conveyed in conjunction with the abutting lot and into the same record ownership establishing a merger of title.
6. These provisions, conditions and restrictions shall run with the land and be enforceable against the Grantees, their successors and assigns by the City of Fitchburg.

The Grantor warrants that it has received from the Grantees an affidavit executed pursuant to Massachusetts General Laws, Chapter 60, Section 77B and the statutory payment in lieu of taxes pursuant to Massachusetts General Laws, Chapter 44, Section 63A.

This instrument is executed pursuant to a vote taken by the City of Fitchburg City Council and attached herewith as Exhibit "A".

Executed as a sealed instrument this ____ day of September, 2016.

Stephen L. DiNatale, Mayor
City of Fitchburg

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this ____ day of September, 2016, before me, the undersigned Notary Public, personally appeared **Stephen L. DiNatale**, proved to me through satisfactory evidence of identification, which is being personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Mayor of the City of Fitchburg.

Seal

_____, Notary Public
My commission expires: _____

MARGINAL REFERENCE: BOOK 1178, PAGE 582

232-16. ORDERED: That the City of Fitchburg sell through the Side Yard Sales Committee: 25 First Street.

City of Fitchburg

FITCHBURG CITY CLERK

In City Council, 16 SEP 15 09 39

ORDERED:— That

WHEREAS, in the opinion of the City Council of Fitchburg, the City is the owner of a certain parcel of land located on 25 First Street, Assessors' Map 69, Block 40, Lot 0, and

WHEREAS, the City of Fitchburg no longer has any use for the aforesaid parcel and the purchasers, Ernesto Colon and Maria E. Colon of 6 Middle Street, Fitchburg, MA 01420, have a particular use for same, and

WHEREAS, the Fitchburg City Council in petition #237-15, approved by City Council on December 15, 2015, referred said parcel to the Side Yard Sales Committee for sale under the City's Side Yard Sales program,

NOW, THEREFORE, IT IS ORDERED that, in consideration of the payment of less than One Hundred Dollars, to be paid to the City Treasurer plus cost of recording and a pro forma tax as required by Chapter 44, Section 63A, the City of Fitchburg sell the above described parcel of land to said purchasers through the City's Side Yard Sales Program, subject to the restriction that said parcel shall not constitute a separate lot, but shall be held in common with other adjoining land of the grantee, and

IT IS FURTHER ORDERED AND VOTED that Stephen L. DiNatale, Mayor of the City of Fitchburg, be and is hereby authorized for and on behalf of said City to execute, acknowledge, and deliver said deed of conveyance.

Orders-Other (cont)

Return to:
Ernesto Colon
6 Middle Street
Fitchburg, MA 01420

RELEASE DEED

THE CITY OF FITCHBURG, a Commonwealth of Massachusetts municipality having its usual place of business at 166 Boulder Drive, Fitchburg, Massachusetts 01420

In consideration of less than one hundred and 00/100 (\$100.00) dollars paid

Grant to **ERNESTO COLON and MARIA E. COLON**, husband and wife as tenants by the entirety of 6 Middle Street, Fitchburg, MA 01420

All its right, title and interest in and to the following described premises:

25 First Street

A certain tract of land located on the southerly side of First Street and easterly side of Middle Street, Fitchburg, Worcester County, Commonwealth of Massachusetts and being all of the Grantor's right, title and interest acquired from the following recorded instrument:

- i. Instrument of Taking by the City of Fitchburg against Adrian L. Ford, dated January 5, 1993 and recorded February 17, 1993 in Worcester Northern District Registry of Deeds Book 2337, Page 317.

For Grantor's title, see the following recorded instruments:

- i. Affidavit of Low Value by the City of Fitchburg, dated September 8, 2014 and recorded August 14, 2015 in Worcester Northern District Registry of Deeds Book 8385, Page 299.
- ii. Treasurers Deed from the City of Fitchburg to the City of Fitchburg, dated September 30, 2015 and recorded October 30, 2015 in Worcester Northern District Registry of Deeds Book 8437, Page 233.

This conveyance is made subject to the following provisions and conditions of the City of Fitchburg Side Yard Sales Program:

1. The premises are sold "as is", in its present condition
2. The Grantor makes no representations or warranties of any kind as to the suitability of the premises for any particular purpose, or as to the applicability or effect of any local, state or federal law.
3. The Grantor makes no representations or warranties as to whether the premises contain any substance which may be classified as a hazardous, toxic, chemical or radioactive substance or a contaminant or pollutant under applicable federal, state or local law, statute, ordinance, rule or regulation, or which may require any cleanup, remediation or other corrective action pursuant to such applicable laws.
4. The premises shall be kept free of garbage and debris.

MARGINAL REFERENCE: BOOK 5618, PAGE 73

25 First Street, Fitchburg, MA

Return to:
Ernesto Colon
6 Middle Street
Fitchburg, MA 01420

5. The premises shall be combined for purposes of future conveyances with the abutting property owned by the Grantees, located at 6 Middle Street, Fitchburg, Massachusetts and described in a Quitclaim Deed from Olympia Perla and Maria E. Colon to Maria E. Colon, Ernesto Colon and Olympia Perla, dated March 3, 2005 and recorded March 8, 2005 in Worcester Northern District Registry of Deeds **Book 5618, Page 73**, such that the premises shall henceforth be conveyed in conjunction with the abutting lot and into the same record ownership establishing a merger of title.
6. These provisions, conditions and restrictions shall run with the land and be enforceable against the Grantees, their successors and assigns by the City of Fitchburg.

The Grantor warrants that it has received from the Grantees an affidavit executed pursuant to Massachusetts General Laws, Chapter 60, Section 77B and the statutory payment in lieu of taxes pursuant to Massachusetts General Laws, Chapter 44, Section 63A.

This instrument is executed pursuant to a vote taken by the City of Fitchburg City Council and attached herewith as Exhibit "A".

Executed as a sealed instrument this ____ day of September, 2016.

Stephen L. DiNatale, Mayor
City of Fitchburg

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this ____ day of September, 2016, before me, the undersigned Notary Public, personally appeared **Stephen L. DiNatale**, proved to me through satisfactory evidence of identification, which is being personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Mayor of the City of Fitchburg.

Seal

_____, Notary Public

My commission expires: _____

MARGINAL REFERENCE: BOOK 5618, PAGE 73

Orders-Other (cont)

233-16. ORDERED: That the City of Fitchburg sell through the Side Yard Sales Committee: 125 Clarendon Street.

City of Fitchburg

FITCHBURG CITY CLERK

In City Council, 16 SEP 15 09 39

ORDERED:-- That

WHEREAS, in the opinion of the City Council of Fitchburg, the City is the owner of a certain parcel of land located on 125 Clarendon Street, Assessors' Map 76, Block 124, Lot 0, and

WHEREAS, the City of Fitchburg no longer has any use for the aforesaid parcel and the purchaser, Rose M. Sanchez Pratts of 119 Clarendon Street, Fitchburg, MA 01420, have a particular use for same, and

WHEREAS, the Fitchburg City Council in petition #237-15, approved by City Council on December 15, 2015, referred said parcel to the Side Yard Sales Committee for sale under the City's Side Yard Sales program,

NOW, THEREFORE, IT IS ORDERED that, in consideration of the payment of less than One Hundred Dollars, to be paid to the City Treasurer plus cost of recording and a pro forma tax as required by Chapter 44, Section 63A, the City of Fitchburg sell the above described parcel of land to said purchaser through the City's Side Yard Sales Program, subject to the restriction that said parcel shall not constitute a separate lot, but shall be held in common with other adjoining land of the grantee, and

IT IS FURTHER ORDERED AND VOTED that Stephen L. DiNatale, Mayor of the City of Fitchburg, be and is hereby authorized for and on behalf of said City to execute, acknowledge, and deliver said deed of conveyance.

Return to:
Rose M. Sanchez Pratts
119 Clarendon Street
Fitchburg, MA 01420

RELEASE DEED

THE CITY OF FITCHBURG, a Commonwealth of Massachusetts municipality having its usual place of business at 166 Boulder Drive, Fitchburg, Massachusetts 01420

In consideration of less than one hundred and 00/100 (\$100.00) dollars paid

Grant to **ROSE M. SANCHEZ PRATTS** of 119 Clarendon Street, Fitchburg, MA 01420

All its right, title and interest in and to the following described premises:

125 Clarendon Street

A certain tract of land located on the easterly side of Clarendon Street, Fitchburg, Worcester County, Commonwealth of Massachusetts and being all of the Grantor's right, title and interest acquired from the following recorded instrument:

- i. Instrument of Taking by the City of Fitchburg against Federal Home Loan Mortgage Corporation, dated November 26, 1997 and recorded December 23, 1997 in Worcester Northern District Registry of Deeds Book 3108, Page 220.

For Grantor's title, see the following recorded instruments:

- i. Affidavit of Low Value by the City of Fitchburg, dated September 5, 2014 and recorded August 14, 2015 in Worcester Northern District Registry of Deeds Book 8385, Page 283.
- ii. Treasurers Deed from the City of Fitchburg to the City of Fitchburg, dated September 30, 2015 and recorded October 30, 2015 in Worcester Northern District Registry of Deeds Book 8437, Page 233.

This conveyance is made subject to the following provisions and conditions of the City of Fitchburg Side Yard Sales Program:

1. The premises are sold "as is", in its present condition
2. The Grantor makes no representations or warranties of any kind as to the suitability of the premises for any particular purpose, or as to the applicability or effect of any local, state or federal law.
3. The Grantor makes no representations or warranties as to whether the premises contain any substance which may be classified as a hazardous, toxic, chemical or radioactive substance or a contaminant or pollutant under applicable federal, state or local law, statute, ordinance, rule or regulation, or which may require any cleanup, remediation or other corrective action pursuant to such applicable laws.
4. The premises shall be kept free of garbage and debris.

MARGINAL REFERENCE: BOOK 8260, PAGE 149

125 Clarendon Street, Fitchburg, MA

Orders-Other (cont)

Return to:
Rose M. Sanchez Pratts
119 Clarendon Street
Fitchburg, MA 01420

5. The premises shall be combined for purposes of future conveyances with the abutting property owned by the Grantees, located at 119 Clarendon Street, Fitchburg, Massachusetts and described in a Quitclaim Deed from ICW Development, LLC to Rose M. Sanchez, dated January 15, 2015 and recorded January 15, 2015 in Worcester Northern District Registry of Deeds **Book 8260, Page 149**, such that the premises shall henceforth be conveyed in conjunction with the abutting lot and into the same record ownership establishing a merger of title.
6. These provisions, conditions and restrictions shall run with the land and be enforceable against the Grantees, their successors and assigns by the City of Fitchburg.

The Grantor warrants that it has received from the Grantees an affidavit executed pursuant to Massachusetts General Laws, Chapter 60, Section 77B and the statutory payment in lieu of taxes pursuant to Massachusetts General Laws, Chapter 44, Section 63A.

This instrument is executed pursuant to a vote taken by the City of Fitchburg City Council and attached herewith as Exhibit "A".

Executed as a sealed instrument this _____ day of September, 2016.

Stephen L. DiNatale, Mayor
City of Fitchburg

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this _____ day of September, 2016, before me, the undersigned Notary Public, personally appeared **Stephen L. DiNatale**, proved to me through satisfactory evidence of identification, which is being personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Mayor of the City of Fitchburg.

Seal

_____, Notary Public

My commission expires: _____

MARGINAL REFERENCE: BOOK 8260, PAGE 149

City of Fitchburg,

September 20, 2016

Orders-Other (cont)

234-16. ORDERED: That the City of Fitchburg sell through the Side Yard Sales Committee: 7 Hale Street.

City of Fitchburg

FITCHBURG CITY CLERK

In City Council,

16 SEP 15 09 39

ORDERED: That

WHEREAS, in the opinion of the City Council of Fitchburg, the City is the owner of a certain parcel of land located on 7 Hale Street, Assessors' Map 82, Block 114, Lot 0, and

WHEREAS, the City of Fitchburg no longer has any use for the aforesaid parcel and the purchaser, Julia Gomez of 50 Salem Street, Fitchburg, MA 01420, have a particular use for same, and

WHEREAS, the Fitchburg City Council in petition #237-15, approved by City Council on December 15, 2015, referred said parcel to the Side Yard Sales Committee for sale under the City's Side Yard Sales program,

NOW, THEREFORE, IT IS ORDERED that, in consideration of the payment of less than One Hundred Dollars, to be paid to the City Treasurer plus cost of recording and a pro forma tax as required by Chapter 44, Section 63A, the City of Fitchburg sell the above described parcel of land to said purchaser through the City's Side Yard Sales Program, subject to the restriction that said parcel shall not constitute a separate lot, but shall be held in common with other adjoining land of the grantee, and

IT IS FURTHER ORDERED AND VOTED that Stephen L. DiNatale, Mayor of the City of Fitchburg, be and is hereby authorized for and on behalf of said City to execute, acknowledge, and deliver said deed of conveyance.

Orders-Other (cont)

Return to:
Julia Gomez
50 Salem Street
Fitchburg, MA 01420

RELEASE DEED

THE CITY OF FITCHBURG, a Commonwealth of Massachusetts municipality having its usual place of business at 166 Boulder Drive, Fitchburg, Massachusetts 01420

In consideration of less than one hundred and 00/100 (\$100.00) dollars paid

Grant to **JULIA GOMEZ** of 50 Salem Street, Fitchburg, MA 01420

All its right, title and interest in and to the following described premises:

7 Hale Street

A certain tract of land located off the westerly side of Hale Street, Fitchburg, Worcester County, Commonwealth of Massachusetts and being all of the Grantor's right, title and interest acquired from the following recorded instrument:

- i. Instrument of Taking by the City of Fitchburg against Erdix Hillman and Theresa Hillman, dated July 1, 1977 and recorded August 25, 1977 in Worcester Northern District Registry of Deeds Book 1186, Page 535.

For Grantor's title, see the following recorded instrument:

- i. Final Decree issued to the City of Fitchburg, dated December 27, 1979 and recorded January 17, 1980 in Worcester Northern District Registry of Deeds Book 1237, Page 474.

This conveyance is made subject to the following provisions and conditions of the City of Fitchburg Side Yard Sales Program:

1. The premises are sold "as is", in its present condition
2. The Grantor makes no representations or warranties of any kind as to the suitability of the premises for any particular purpose, or as to the applicability or effect of any local, state or federal law.
3. The Grantor makes no representations or warranties as to whether the premises contain any substance which may be classified as a hazardous, toxic, chemical or radioactive substance or a contaminant or pollutant under applicable federal, state or local law, statute, ordinance, rule or regulation, or which may require any cleanup, remediation or other corrective action pursuant to such applicable laws.
4. The premises shall be kept free of garbage and debris.
5. The premises shall be combined for purposes of future conveyances with the abutting property owned by the Grantees, located at 50 Salem Street, Fitchburg, Massachusetts and described in a Quitclaim Deed from Lesslie S. Gomez to Julia I. Nater, dated May 27, 2004 and recorded June 2, 2004 in Worcester Northern District Registry of Deeds **Book 5286, Page 259**, such that the premises shall henceforth be conveyed in conjunction with the abutting lot and into the same record ownership establishing a merger of title.

MARGINAL REFERENCE: BOOK 5286, PAGE 259

7 Hale Street, Fitchburg, MA

City of Fitchburg,

September 20, 2016

Orders-Other (cont)

Return to:
Julia Gomez
50 Salem Street
Fitchburg, MA 01420

6. These provisions, conditions and restrictions shall run with the land and be enforceable against the Grantees, their successors and assigns by the City of Fitchburg.

The Grantor warrants that it has received from the Grantees an affidavit executed pursuant to Massachusetts General Laws, Chapter 60, Section 77B and the statutory payment in lieu of taxes pursuant to Massachusetts General Laws, Chapter 44, Section 63A.

This instrument is executed pursuant to a vote taken by the City of Fitchburg City Council and attached herewith as Exhibit "A".

Executed as a sealed instrument this ____ day of September, 2016.

Stephen L. DiNatale, Mayor
City of Fitchburg

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this ____ day of September, 2016, before me, the undersigned Notary Public, personally appeared **Stephen L. DiNatale**, proved to me through satisfactory evidence of identification, which is being personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Mayor of the City of Fitchburg.

Seal

_____, Notary Public

My commission expires: _____

MARGINAL REFERENCE: BOOK 5286, PAGE 259

Orders-Other (cont)

235-16. ORDERED: That the City of Fitchburg sell through the Side Yard Sales Committee: 0 Ohio Ave.

City of Fitchburg

FITCHBURG CITY CLERK

In City Council, 16 SEP 15 09 39

ORDERED:-- That

WHEREAS, in the opinion of the City Council of Fitchburg, the City is the owner of a certain parcel of land located on Ohio Avenue, Assessors' Map 101, Block 31, Lot A, and

WHEREAS, the City of Fitchburg no longer has any use for the aforesaid parcel and the purchasers, Ronald J. Maxfield and Jeannine R. Maxfield of 424 Oak Hill Road, Fitchburg, MA 01420, have a particular use for same, and

WHEREAS, the Fitchburg City Council in petition #237-15, approved by City Council on December 15, 2015, referred said parcel to the Side Yard Sales Committee for sale under the City's Side Yard Sales program,

NOW, THEREFORE, IT IS ORDERED that, in consideration of the payment of less than One Hundred Dollars, to be paid to the City Treasurer plus cost of recording and a pro forma tax as required by Chapter 44, Section 63A, the City of Fitchburg sell the above described parcel of land to said purchasers through the City's Side Yard Sales Program, subject to the restriction that said parcel shall not constitute a separate lot, but shall be held in common with other adjoining land of the grantee, and

IT IS FURTHER ORDERED AND VOTED that Stephen L. DiNatale, Mayor of the City of Fitchburg, be and is hereby authorized for and on behalf of said City to execute, acknowledge, and deliver said deed of conveyance.

Return to:
Ronald J. Maxfield
424 Oak Hill Road
Fitchburg, MA 01420

RELEASE DEED

THE CITY OF FITCHBURG, a Commonwealth of Massachusetts municipality having its usual place of business at 166 Boulder Drive, Fitchburg, Massachusetts 01420

In consideration of less than one hundred and 00/100 (\$100.00) dollars paid

Grant to **RONALD J. MAXFIELD and JEANNINE R. MAXFIELD**, husband and wife as tenants by the entirety of 424 Oak Hill Road, Fitchburg, MA 01420

All its right, title and interest in and to the following described premises:

Ohio Avenue

A certain tract of land located on the southerly side of Ohio Avenue, Fitchburg, Worcester County, Commonwealth of Massachusetts and being all of the Grantor's right, title and interest acquired from the following recorded instrument:

- i. Instrument of Taking by the City of Fitchburg against Edith M. Testa, dated February 11, 1994 and recorded March 17, 1994 in Worcester Northern District Registry of Deeds Book 2543, Page 133.

For Grantor's title, see the following recorded instruments:

- i. Affidavit of Low Value by the City of Fitchburg, dated September 5, 2014 and recorded August 14, 2015 in Worcester Northern District Registry of Deeds Book 8385, Page 319.
- ii. Treasurers Deed from the City of Fitchburg to the City of Fitchburg, dated September 30, 2015 and recorded October 30, 2015 in Worcester Northern District Registry of Deeds Book 8437, Page 233.

This conveyance is made subject to the following provisions and conditions of the City of Fitchburg Side Yard Sales Program:

1. The premises are sold "as is", in its present condition
2. The Grantor makes no representations or warranties of any kind as to the suitability of the premises for any particular purpose, or as to the applicability or effect of any local, state or federal law.
3. The Grantor makes no representations or warranties as to whether the premises contain any substance which may be classified as a hazardous, toxic, chemical or radioactive substance or a contaminant or pollutant under applicable federal, state or local law, statute, ordinance, rule or regulation, or which may require any cleanup, remediation or other corrective action pursuant to such applicable laws.
4. The premises shall be kept free of garbage and debris.

MARGINAL REFERENCE: BOOK 1979, PAGE 113

Ohio Avenue, Fitchburg, MA

Orders-Other (cont)

Return to:
Ronald J. Maxfield
424 Oak Hill Road
Fitchburg, MA 01420

5. The premises shall be combined for purposes of future conveyances with the abutting property owned by the Grantees, located at 424 Oak Hill Road, Fitchburg, Massachusetts and described in a Quitclaim Deed from Kim M. Palmi to Ronald J. Maxfield and Jeannine R. Maxfield, dated July 13, 1990 and recorded July 16, 1990 in Worcester Northern District Registry of Deeds **Book 1979, Page 113**, such that the premises shall henceforth be conveyed in conjunction with the abutting lot and into the same record ownership establishing a merger of title.
6. These provisions, conditions and restrictions shall run with the land and be enforceable against the Grantees, their successors and assigns by the City of Fitchburg.

The Grantor warrants that it has received from the Grantees an affidavit executed pursuant to Massachusetts General Laws, Chapter 60, Section 77B and the statutory payment in lieu of taxes pursuant to Massachusetts General Laws, Chapter 44, Section 63A.

This instrument is executed pursuant to a vote taken by the City of Fitchburg City Council and attached herewith as Exhibit "A".

Executed as a sealed instrument this ____ day of September, 2016.

Stephen L. DiNatale, Mayor
City of Fitchburg

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this ____ day of September, 2016, before me, the undersigned Notary Public, personally appeared **Stephen L. DiNatale**, proved to me through satisfactory evidence of identification, which is being personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Mayor of the City of Fitchburg.

Seal

_____, Notary Public

My commission expires: _____

MARGINAL REFERENCE: BOOK 1979, PAGE 113

City of Fitchburg,

September 20, 2016

Orders-Other (cont)

236-16. ORDERED: That the City of Fitchburg sell through the Side Yard Sales Committee: 0 Electric Ave.

City of Fitchburg

In City Council,

FITCHBURG CITY CLERK

16 SEP 15 09 39

ORDERED:— That

WHEREAS, in the opinion of the City Council of Fitchburg, the City is the owner of a certain parcel of land located on Electric Avenue, Assessors' Map 185, Block 35, Lot 0, and

WHEREAS, the City of Fitchburg no longer has any use for the aforesaid parcel and the purchasers, John M. DiPasquale and Arlinda L. DiPasquale of 31 Swan Avenue, Fitchburg, MA 01420, have a particular use for same, and

WHEREAS, the Fitchburg City Council in petition #237-15, approved by City Council on December 15, 2015, referred said parcel to the Side Yard Sales Committee for sale under the City's Side Yard Sales program,

NOW, THEREFORE, IT IS ORDERED that, in consideration of the payment of less than One Hundred Dollars, to be paid to the City Treasurer plus cost of recording and a pro forma tax as required by Chapter 44, Section 63A, the City of Fitchburg sell the above described parcel of land to said purchasers through the City's Side Yard Sales Program, subject to the restriction that said parcel shall not constitute a separate lot, but shall be held in common with other adjoining land of the grantee, and

IT IS FURTHER ORDERED AND VOTED that Stephen L. DiNatale, Mayor of the City of Fitchburg, be and is hereby authorized for and on behalf of said City to execute, acknowledge, and deliver said deed of conveyance.

[Handwritten signature]

Orders-Other (cont)

Return to:
John M. DiPasquale
31 Swan Avenue
Fitchburg, MA 01420

RELEASE DEED

THE CITY OF FITCHBURG, a Commonwealth of Massachusetts municipality having its usual place of business at 166 Boulder Drive, Fitchburg, Massachusetts 01420

In consideration of less than one hundred and 00/100 (\$100.00) dollars paid

Grant to **JOHN M. DIPASQUALE and ARLINDA L. DIPASQUALE**, husband and wife as tenants by the entirety of 31 Swan Avenue, Fitchburg, MA 01420

All its right, title and interest in and to the following described premises:

Electric Avenue

A certain tract of land located on the southeasterly side of Electric Avenue, Fitchburg, Worcester County, Commonwealth of Massachusetts and being all of the Grantor's right, title and interest acquired from the following recorded instrument:

- i. Instrument of Taking by the City of Fitchburg against Mary E. Ghilardi, dated November 26, 1997 and recorded December 23, 1997 in Worcester Northern District Registry of Deeds Book 3108, Page 149.

For Grantor's title, see the following recorded instruments:

- i. Affidavit of Low Value by the City of Fitchburg, dated September 5, 2014 and recorded August 14, 2015 in Worcester Northern District Registry of Deeds Book 8385, Page 291.
- ii. Treasurers Deed from the City of Fitchburg to the City of Fitchburg, dated September 30, 2015 and recorded October 30, 2015 in Worcester Northern District Registry of Deeds Book 8437, Page 233.

This conveyance is made subject to the following provisions and conditions of the City of Fitchburg Side Yard Sales Program:

1. The premises are sold "as is", in its present condition
2. The Grantor makes no representations or warranties of any kind as to the suitability of the premises for any particular purpose, or as to the applicability or effect of any local, state or federal law.
3. The Grantor makes no representations or warranties as to whether the premises contain any substance which may be classified as a hazardous, toxic, chemical or radioactive substance or a contaminant or pollutant under applicable federal, state or local law, statute, ordinance, rule or regulation, or which may require any cleanup, remediation or other corrective action pursuant to such applicable laws.
4. The premises shall be kept free of garbage and debris.

MARGINAL REFERENCE: BOOK 1157, PAGE 114

Electric Avenue, Fitchburg, MA

City of Fitchburg,

September 20, 2016

Orders-Other (cont)

Return to:
John M. DiPasquale
31 Swan Avenue
Fitchburg, MA 01420

5. The premises shall be combined for purposes of future conveyances with the abutting property owned by the Grantees, located at 31 Swan Avenue, Fitchburg, Massachusetts and described in a Quitclaim Deed from Philias Boucher to John M. DiPasquale and Arlinda L. DiPasquale, dated February 23, 1976 and February 23, 1976 in Worcester Northern District Registry of Deeds **Book 1157, Page 114**, such that the premises shall henceforth be conveyed in conjunction with the abutting lot and into the same record ownership establishing a merger of title.
6. These provisions, conditions and restrictions shall run with the land and be enforceable against the Grantees, their successors and assigns by the City of Fitchburg.

The Grantor warrants that it has received from the Grantees an affidavit executed pursuant to Massachusetts General Laws, Chapter 60, Section 77B and the statutory payment in lieu of taxes pursuant to Massachusetts General Laws, Chapter 44, Section 63A.

This instrument is executed pursuant to a vote taken by the City of Fitchburg City Council and attached herewith as Exhibit "A".

Executed as a sealed instrument this _____ day of September, 2016.

Stephen L. DiNatale, Mayor
City of Fitchburg

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this _____ day of September, 2016, before me, the undersigned Notary Public, personally appeared **Stephen L. DiNatale**, proved to me through satisfactory evidence of identification, which is being personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Mayor of the City of Fitchburg.

Seal

_____, Notary Public

My commission expires: _____

MARGINAL REFERENCE: BOOK 1157, PAGE 114

Orders were adopted under Suspension of the Rules by unanimous vote. 10 members present. Board consists of 11 members.
Orders were signed by the Mayor September 21, 2016.

Petitions

PETITIONS

The following Petition was referred to the City Property Committee:

237-16. Calvin D. Brooks, City Treasurer, to rescind votes taken to sell the listed tax possession properties. They will be sold at auction under MGL Ch. 60, s. 80. City Council is not required to act on these sales.

TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

Ladies and Gentlemen:

The undersigned Petition your Honorable Body to

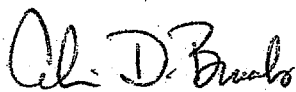
To rescind the original vote for petition 124-15 taken on July 21, 2015 to sell tax possession property at 1269 Westminster Hill Road (S32-19-0) (referred to City Solicitor);

To rescind the original vote for petition 236-15 taken on December 15, 2015 to refer the sale of tax possession properties at 0 Drury Lane (105-57-A), 0 South Street (138-7-A), 0 Gibson Road (S14-30-A), and 0 Fairmount Street (63-53-0) to the Chief Procurement Officer for advertising and sale;

To rescind the original vote for petition 047-16 taken on April 19, 2016 to refer the sale of tax possession properties at 21 Goddard Street (17-20-0), 43 East Street (34-37-0), and 16 Market Street (141-7-0) to the Chief Procurement Officer for advertising and sale; and

To rescind the original vote for petition 068-16 taken on April 19, 2016 to refer the sale of tax possession property at 21 Oxford Street (3-29-0) to the Chief Procurement Officer for advertising and sale.

Because these properties are tax possessions, they will instead be sold at auction by the Treasurer, acting as custodian of properties acquired by tax foreclosure of tax titles or acquired under MGL Chapter 60, section 80. City Council is not required to act on these sales.



Calvin Brooks, City Treasurer and Tax Collector

16 SEP 12 13 31
FITCHBURG CITY CLERK

Petitions (cont)

The following Petitions were referred to the Public Works Committee:

- 238-16. Resident Linda Nickolopulous and Councillor Michael Kushmerek, to repair/repave a section of sidewalk on Pleasant Street between its intersections with Davis & Spring Streets.
- 239-16. Resident Joan Michelson and Councillor Michael Kushmerek, to remove a tree and repair/resurface sidewalk in front of 202 High Street.
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The meeting adjourned at 7:48 P.M.


Anna M. Farrell, Clerk